

United States Department of State

The Principles and Objectives of the United Nicaraguan Opposition

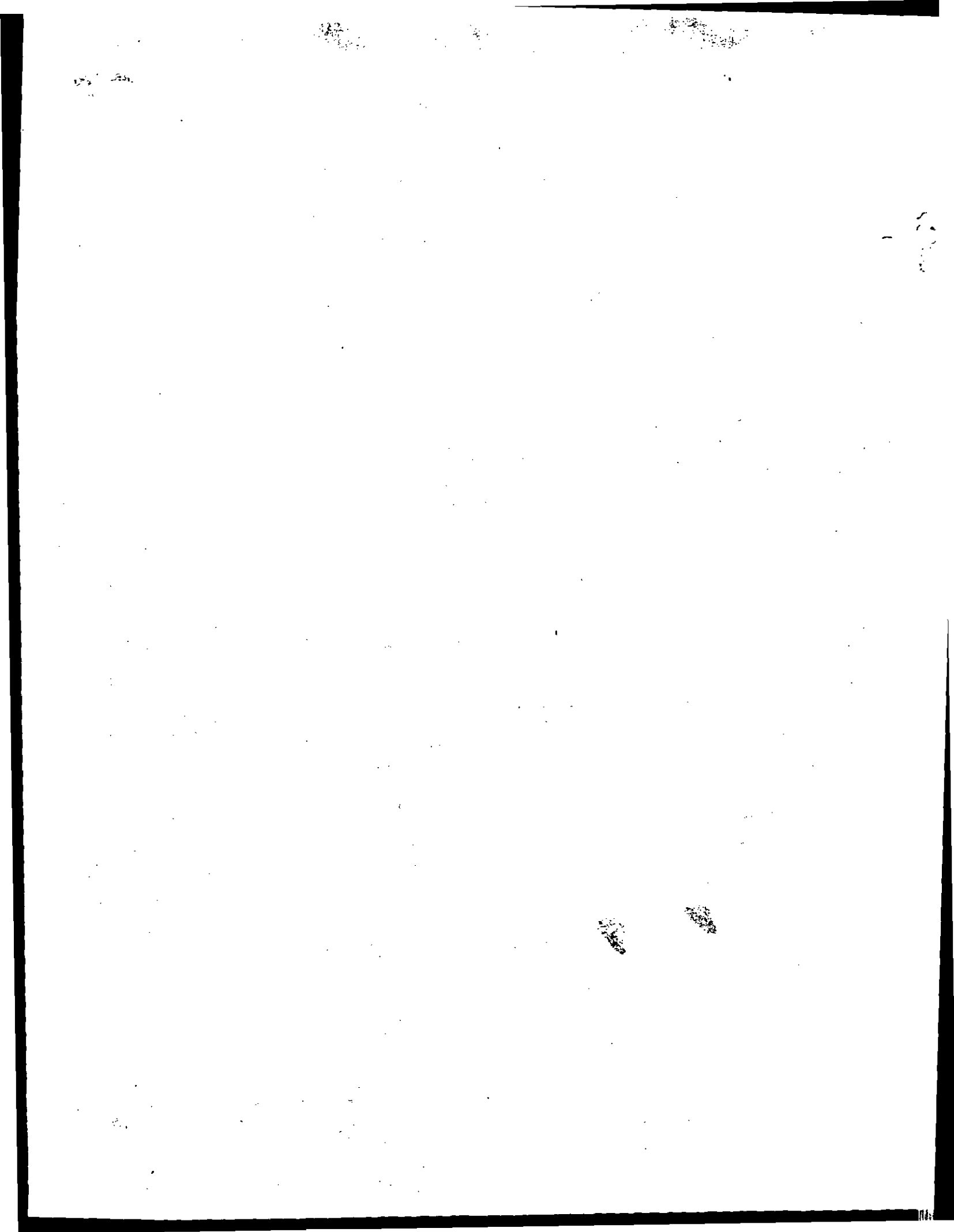
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SUMMARY

This publication presents a sample of available literature on the United Nicaraguan Opposition. The following documents, biographies, and statements by the UNO leadership demonstrate a clear commitment to democratic objectives and respect for human rights.

The principles embodied in the UNO charter are:

- o Amnesty for all political crimes for every Nicaraguan, without exception
- o Abolition of special tribunals for political crimes
- o Elimination of capital punishment
- o Demilitarization of society
- o Political pluralism
- o Free elections within one year
- o Respect for minority rights
- o Political freedom
- o Economic freedom
- o Protection of the rights of both employers and employees and respect for property rights

Seven years after the overthrow of Somoza, the people of Nicaragua are still subject to totalitarian repression under the Sandinistas. Thousands have taken up arms to liberate their country. Many of the same Nicaraguans--farmers, workers, and professionals--who fought in the 1979 revolution now belong to the United Nicaraguan Opposition, the heir of that broadly based democratic coalition.

In June of 1985 three principal leaders of the resistance against the Sandinistas signed an accord creating the United Nicaraguan Opposition. Alfonso Robelo, Arturo Cruz, and Adolfo Calero constitute the UNO Directorate and bring to the movement their diverse political views and backgrounds. In The New York Times of December 13, 1985, they wrote: "We respect our differences, and we are proud we do. That is what distinguishes us from the Sandinistas." The leaders of UNO do not differ, however, on their commitment to democracy, reconstruction, and national reconciliation.

The political arm of UNO is composed of several parties and organizations that span the political spectrum. The UNO coalition will continue to broaden, both inside and outside of Nicaragua, but it is already far more representative of the Nicaraguan people than the Sandinistas are today. The UNO statement of principles and objectives presents a workable, democratic alternative to the current totalitarian policies of the Sandinistas.

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An April 7, 1986 New Republic article describes the soldiers who combat the Sandinista regime: "The foot soldiers are exactly the stoic peasant fighters that 1960's radicals fantasized about in other contexts. Mostly they are young, a few not even in their teens." They fight today in response to Sandinista attempts to control their lives, farms, churches, and in the case of the Atlantic Coast indigenous peoples, to destroy their culture. Many joined the resistance in preference to being drafted to fight for the Sandinistas against their friends and neighbors. In defending their families and communities, these young Nicaraguans are fighting for self-determination above all else. Their struggle is not on behalf of the old dictatorship--it is for democracy as promised during the 1979 revolution and against the new Marxist-Leninist dictatorship armed by Cuba and the Soviet Union.

UNO's human rights program has adopted the Red Cross Handbook and is guided by a Human Rights Commission. In addition, UNO assigns at least one person fully trained in human rights to every task force. The largest military force under the UNO umbrella is the Nicaraguan Democratic Force (UNO/FDN), which operates in northern and eastern Nicaragua. UNO/KISAN is composed of Indians and Creoles. UNO/FARN conducts operations in southern Nicaragua.

THE DIRECTORATE OF THE UNITED NICARAGUAN OPPOSITION (UNO)

Arturo CRUZ Porras was a member of Nicaragua's Governing Junta from May 1980 to March 1981. He was jailed twice by Somoza, once for 3 months and later for 11 months. In 1977, Cruz was invited by the Sandinistas to be one of "The Group of 12," prominent Nicaraguans who would serve as a bridge between the Sandinistas and other groups in the civil opposition to Somoza. A long-time member of the Conservative Party, Cruz is an economist who holds graduate and undergraduate degrees from Georgetown University. He has specialized in development banking and has worked for the Inter-American Development Bank. Following the revolution, Mr. Cruz served as president of the Central Bank in 1979-80, as a member of the governing junta from May 1980 to March 1981, and as Nicaragua's Ambassador to the United States from June 1981 until his resignation in December in protest over Sandinista policies. Cruz was the presidential candidate of the unified opposition Coordinadora Democratica in the November 1984 election but refused to register his candidacy in protest over the Sandinista government's refusal to permit a fair electoral contest.

Adolfo CALERO Portocarrero, a lifelong opponent of Somoza, has been president of the National Directorate of the FDN since December 1983. He began his political career in the 1950's as an activist in the Conservative Party. In 1959 he helped organize managerial strikes in support of an insurrection headed by Pedro Joaquin Chamorro, editor of the opposition daily La Prensa. In 1978, Calero served as his party's representative in the Broad Opposition Front (FAO) and was jailed for initiating a general strike against Somoza. A 1978 New York Times article described Calero as "the most forceful" of Somoza's opponents. After attempting to cooperate with the Sandinistas, Calero went into exile at the end of 1982. He helped found UNO in 1985. Calero graduated from the University of Notre Dame in 1953, did graduate work in industrial management at Syracuse University, and holds a law degree from the University of Central America in Managua.

Alfonso ROBELO Callejas, political coordinator of ARDE and head of the MDN, was trained as a chemical engineer. He served as director of the University of Central America from 1970 to 1972 and was president of the Nicaraguan Chamber of Commerce until 1975. He then headed the development institute INDE. Following the assassination of La Prensa editor Pedro Joaquin Chamorro, Robelo founded the Nicaraguan Democratic Movement,

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a moderate, democratic-oriented political party of businessmen, industrialists, and professionals opposed to the Somoza regime. After the revolution Robelo was one of the five members of the original 1979 junta. He resigned in 1980 because of the Marxist tendencies in the FSLN-dominated government and the growing influence in the country. Harassed by the FSLN after his resignation, he was finally forced into exile in 1982, at which time he and Eden Pastora founded the Democratic Alliance. Robelo helped found UNO in 1985.

STATEMENTS OF THE UNO LEADERSHIP

Adolfo Calero:

Far more is at stake, my friends, than the mere absence of armed conflict. For armed conflict was absent during most of the Somoza dictatorship. But we were not at peace. Our insides shook with silent rage at the denial of freedom; and our hearts longed for a more secure future for our children, for true tranquility, for human dignity and social justice.

* * *

There are a lot of people who promote a type of peace at any price, which they would never accept for themselves. In their own countries, they would never tolerate the party-state-army collusion, the denial of fundamental freedoms, the corruption of the government, the destruction of the economy, the militarization of their society; in one word, they accept slavery of the people because it is not their own.

--Speech at the Commonwealth Club, 6/5/85

Arturo Cruz:

The Sandinistas had promised political pluralism, a truly mixed economy, respect for human rights, and real nonalignment in foreign policy. Unfortunately all these pious promises were broken.

--Le Figaro, 1/7/86

The problem in Nicaragua is not MiGs and assault helicopters. It is fundamentally the absence of such liberty--the character of the Government that will put such weapons to use....[The insurgency] is the revolt of Nicaraguans against oppression by other Nicaraguans.

--The New York Times, 12/6/84

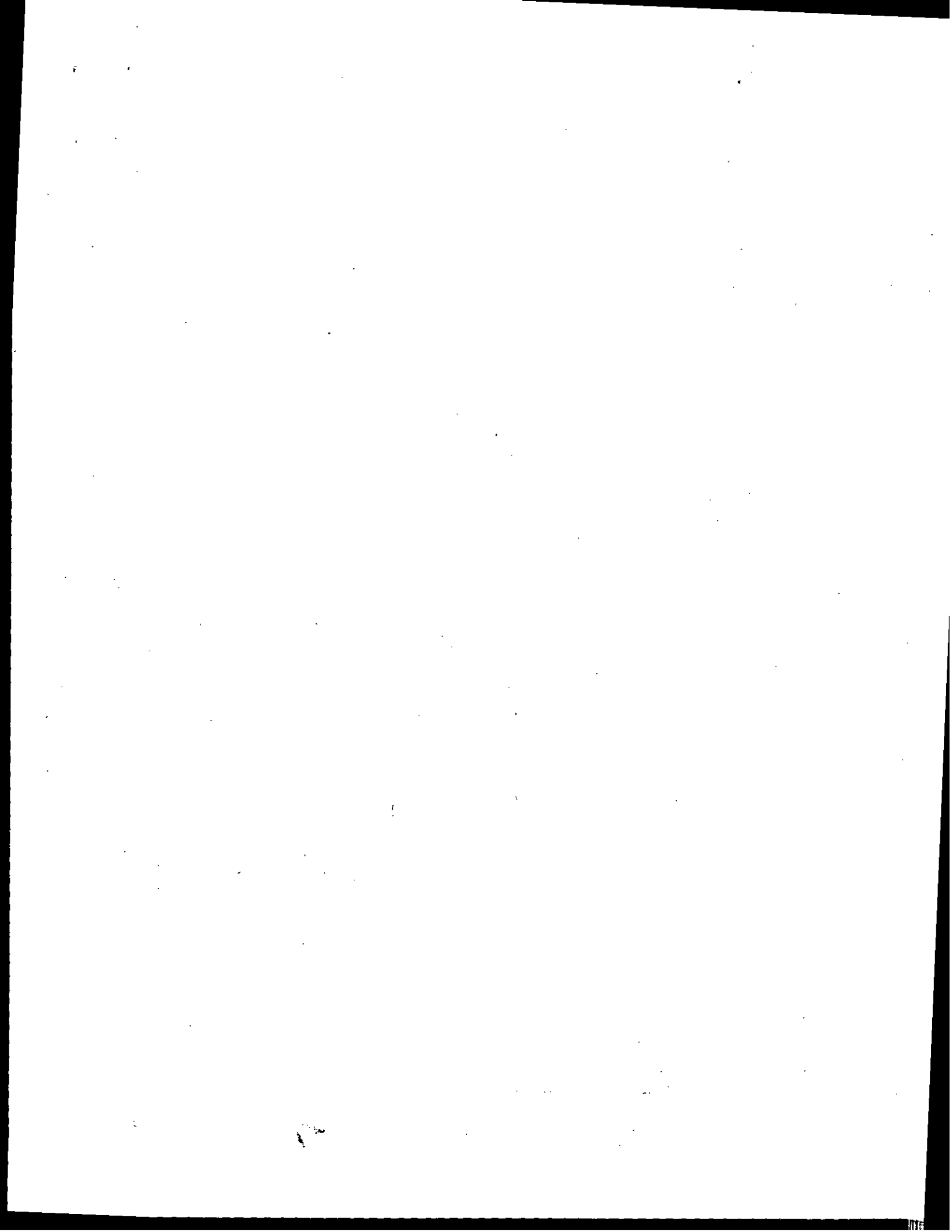
Alfonso Robelo:

We commit our movement to establish democracy, the rule of law, authentic political pluralism, and "free elections with the right of participation of all the political groups without exception."

* * *

It is we who stand for a free trade movement. It is we who stand for a free press, for civil and political rights, for schools that teach rather than indoctrinate, and for religious liberty.

--Social Democrats USA, 6/15/85



SELECTED DOCUMENTS

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UNITED NICARAGUAN OPPOSITION

PRINCIPLES AND OBJECTIVES

FOR THE

PROVISIONAL GOVERNMENT OF NATIONAL RECONCILIATION

Under the protection of God and interpreting the hopes of the great majority of people in Nicaragua, who with heroic patriotism shook off the yoke of the previous dictatorship and now suffer the repression by force of arms of new tyrants and foreign intervention;

GIVING HOMAGE:

To the noble sacrifice of the democratic resistance forces which have shed their blood and continue to offer their lives in an unequal war against an army in the service of Soviet imperialism, from which it receives direction, training, weapons and supplies;

To the civic courage and democratic vocation of the political parties, labor and social organizations, ethnic minorities and individuals who have maintained a firm attitude against the abuses of the military tyranny of the Sandinista Front;

AFFIRMING:

That the people of Nicaragua have demonstrated their will to free themselves from the totalitarian regime which oppresses them with the support of foreign forces and the so-called internationalists, carrying out a painful defensive war and a war of liberation, which have witnessed heroic actions inspired by the highest degree of patriotism on the part of the combatants of the Nicaraguan Democratic Resistance and of broad sectors of the population;

RECOGNIZING:

That the courage and sacrifice of different sectors comprising the nation have created, in the face of repression, the conditions for the liberation of Nicaragua, faithful to the historic tradition that has led them to rise up in arms when their freedom and democratic aspirations have been snatched away from them;

CONSIDERING:

The historic democratic determination of the Nicaraguans, translated in the past struggles against the Somoza dynasty and in the present struggle against the totalitarianism of the

Sandinista Front, the firm belief in a juridical order and respect for the constitution of the country and the sacrifices for the full exercise of its precepts;

COMMITTED:

To the unrestricted observance of the human rights of all Nicaraguans without exception, the establishment of a State of Law which permits the full development of the individual and the promotion of social justice;

RECOGNIZING:

That the tragic situation of Nicaragua, embroiled in chaos as a consequence of the present dictatorship, requires the adoption of special and urgent measures in the political, economic and social arenas which guarantee the quick and orderly transition toward a democratic State, by means of a Provisional Government of a duration strictly limited by the needs of the transition;

REAFFIRMING:

Our commitment to peace and democracy contained in the Pronouncements of San Jose of March 1, 1985, of San Salvador of June 12, 1985, and our support for the calls for National Dialogue demanded by the Democratic Coordinator and the Nicaraguan Bishops Conference;

TAKING INTO ACCOUNT:

The civil war of Nicaragua, which threatens the peace of the region and of the American continent, brought about by the failure of the military tyranny of the Sandinista Front to fulfill the resolutions of the XVII Council of Foreign Ministers Meeting of the Organization of American States of June 23, 1979 which, in an action which set a precedent in our continent, explicitly withdrew its recognition of one of the member governments in order to grant it to an insurgent force, which committed itself to establish democracy and respect the human rights of all Nicaraguans without exception;

CONVINCED:

That the solidarity and reconciliation of all Nicaraguans, as well as the support and understanding of the peoples and governments of the free world, will contribute effectively to the creation of the indispensable conditions so that a democratic and pluralistic process is established which guarantees peace, sovereignty and freedom to our people;

THEREFORE:

On behalf of the Directorate of the United Nicaraguan Opposition and with the full support of its Permanent Advisory

Committee, we propose to the Nicaraguan people and inform our sister Latin American nations and the democratic governments of the world, while at the same time requesting their support and solidarity, the Principles and Objectives of a Provisional Government of National Reconciliation.

PRINCIPLES AND OBJECTIVES

I. Regarding the Political System:

1. To democratize Nicaragua, guaranteeing and promoting political pluralism and the participation of all citizens at the local and national level, through the exercise of representative democracy, respecting their ethnic, cultural and religious values;

2. To establish a political system which guarantees the separation and independence of the powers of the government;

3. To establish a rule of law which assures the equality of the citizens before the law; respect for, the full exercise of, and effective development of Human Rights through the independence of the Judicial Power; giving guarantees to national Human Rights organizations, and adhering strictly to international obligations deriving from written agreements;

4. To guarantee the strictest respect for freedoms, especially those of speech, association, worship and unions with respect for agreements numbers 87 and 98 of the International Labor Organization, such as the undeniable right to strike;

5. To recognize the primacy of Civil Society over the State and the achievement of the common good as its principle objective;

6. To create an autonomous electoral system which guarantees representative democracy and respect for the popular will, freely expressed in periodic elections, assuring alternability in office, through the principle of non re-election;

7. To promulgate a Civil Service Law, establishing the administrative career. There will be created the National Comptrollership Commission to guarantee the efficient and honest use of public funds and State resources;

8. To abolish any and all types of capital punishment and to eliminate permanently and unequivocally the special tribunals which have been abusively created by the Sandinista Front;

9. To decree a General Amnesty for political and related common crimes, as an expression of the process of rehabilitation and reconciliation, without exception;

10. To recognize the historic rights of the indigenous peoples of Nicaragua, adopting special administrative and

developmental m
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Nation;

11. To demi
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legal, economic and customs measures and other incentives;

9. To formulate and execute an immediate program of action and the securing of resources for the reordering and reactivation of the national economy and the providing of jobs for the Nicaraguan people;

10. To abolish state centralism and return to the private sector all those productive, commercial and service activities which said sector is able to carry out more efficiently for the common good;

11. The Government of Reconciliation, as guarantor of the common good and social peace, will observe and promote the principles of: social justice, freedom of association, work as a source of well-being and wealth, the indispensable contribution of laborers and peasants to the development of the country, as well as solidarity with the less favored sectors of the population, private property as the expression of a natural right and the sovereignty of Nicaragua over its natural resources;

12. To consolidate and perfect the Central American Common Market and to promote foreign investment as important measures to bring about socio-economic development.

III. Foreign Policy:

To adopt a foreign policy which protects the peace and strengthens the independence and sovereignty of the Nation, founded on the principles of the inter-American system; supported in the fulfillment of international accords, cooperation and friendly relations, especially with those countries which practice representative democracy, and in the permanent determination to contribute to the economic, social and political integration of the Central American fatherland.

IV. Plan and Program:

A Program of Government will be presented for the consideration of a consultative body in which will be represented the various democratic, political, social and labor organizations which will implement these principles. It will establish the procedures so that, by the eighth month after the installation of the new Government of Reconciliation, it will hold elections for a Constituent Assembly. After eighteen months it will hold general elections with guarantees to assure the free participation of all citizens and the integrity of the elections.

Among the preferred objectives to be considered by the consultative body should be the following: Reorganization of the Judicial Power; Municipal Autonomy; reorganization and integrity of Public Administration; health and social security; education; culture; housing; transportation; infrastructure; sports; policies of incentives for the various productive sectors; the financial system; agrarian reform; commerce; foreign investment;

reduction of the foreign debt; fiscal, monetary and credit policies, giving special attention to the development of cooperatives and the balanced action of the State.

We reiterate that the liberation of our fatherland requires the participation of all the democratic sectors of the Nicaraguan people, as well as the solidarity and support of the peoples and governments of the countries of the Americas and the other free peoples of the world.

At the same time, we pledge ourselves to respect the consensus of Nicaragua's democratic spectrum in the selection of those who will implement the initial task of national reconstruction. Furthermore, we pledge ourselves to assure that it shall be the people, by means of an electoral process in full enjoyment of their rights and freedoms, who will elect the Constituent Assembly and, later, the national authorities.

Caracas, Venezuela, Cradle of Liberator Simon Bolivar, the twenty-second day of January of Nineteen Eighty-six.

Arturo Cruz

Alfonso Robelo

Adolfo Calero

UNO COMMUNIQUE
October 22, 1985

The United Nicaraguan Opposition (UNO) and the organizations that comprise and support it declare to the Nicaraguan people and to the international community the following:

We Nicaraguans have been suffering because of the suppression of the social and individual rights and guarantees, as well as the systematic disrespect for the most elemental human rights, by the military dictatorship of the Sandinista Front, through its repressive organizations.

The decree suspending guarantees that was issued on October 15th of this year legalizes and shows the negation of rule of law that the Nicaraguan people have experienced under the Sandinista regime; at the same time that they endure the arbitrariness, intimidation, and terror practiced daily by the dictatorship.

This decree shows clearly the intention of the Sandinista Front to accentuate the repression and the social control, in the manner of Marxist-Leninist dictatorships.

The suspension of the guarantees does violence to freedom of conscience, which has been brought about as a consequence the increase in religious persecution that makes the Catholic Church the principal object of the abuses of the dictatorship.

These acts clearly demonstrate the lack of political will of the Sandinista Front to comply with the commitments contained in the Contadora Document, which is a mockery of those democratic governments that still have confidence in the supposed good will of the Managua regime to contribute to the pacification of the region; and are a prelude of the fate such accords.

The permanent position of the Marxist-Leninist government of Managua, of not dialoging with the internal and external opposition, contrasts with its attitude assumed in the United Nations of soliciting a dialog with the Reagan Administration in order to resolve the Central American conflict. To offer to annul the suspension of the guarantees in order to arrive at an agreement with the United States constitutes an act of political blackmail, that scorns the hopes for liberty of the Nicaraguan people. As UNO has maintained, WITHOUT DEMOCRACY IN NICARAGUA THERE WILL BE NO PEACE IN CENTRAL AMERICA.

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The United Nicaraguan Opposition rejects the validity and legitimacy of the decree that suppresses the rights and guarantees of the Nicaraguan people. It condemns the persecution and the violence unleashed against the Catholic Church, political parties, unions, and private businesses. And it denounces before all the Contadora Group nations and before international public opinion this new maneuver of the totalitarian regime of the Sandinista Front.

UNO reaffirms its unyielding position of continuing the fight against the Sandinista Front until it achieves for Nicaragua genuine democracy, moral and material reconstruction, and the reconciliation of its sons.

October 22, 1985

United Nicaraguan Opposition (UNO)

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UNO--KISAN MERGER COMMUNIQUE

The Directorate of the United Nicaraguan Opposition (UNO) and the Leadership of KISAN (Kus Indian Sut Asia Nicaragua) "United Indigenous Peoples of the Atlantic Coast", announce to the Nicaraguan people and to international public opinion the integration of KISAN into UNO.

KISAN declares its adherence to the Documents of San Jose and of San Salvador dated, respectively, March first and June twelfth of 1985.

UNO reiterates that it struggles for reconciliation, democracy, and reconstruction in Nicaragua.

In the spirit of these objectives, UNO favors the establishment of a democratically elected government that guarantees social peace based on pluralism and justice, recognizing the historic rights of the Miskito, Sumo, Rama, and Creole (Black) Peoples, within the strengthening of the political and territorial integrity of Nicaragua.

UNO recognizes KISAN as the legitimate and sole representative of the Miskito, Sumo, Rama, and Creole (Black) Peoples, and in consequence, the relations of the Directorate of UNO will be exclusively with the Leadership of KISAN, in virtue of having been invested with that authority by the free will of their peoples.

Given in Pueblo Libre, Nicaragua on the third of October of 1985.

Adolfo Calero
Alfonso Robelo
Arturo J. Cruz

Wycliffe Diego
Jenelee Hogsdon

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DECLARATION OF THE UNIFIED NICARAGUAN OPPOSITION

San Salvador, June 12, 1985

Last March 1, the Nicaraguan Resistance supported the initiative of the Democratic coordinator to summon the Sandinista Front to a national dialogue convened by the Nicaraguan Bishop's Conference.

On April 27, Daniel Ortega himself, before leaving for Moscow, categorically rejected our peace initiative. He reaffirmed thereby the intransigence of his regime and made clear his intention to prolong the Civil War, to keep the country subjugated, to destabilize Central America and to lend himself to Soviet penetration in our hemisphere.

With the expiration of the established period and given the refusal of the Sandinista Front to enter a dialogue, we the undersigned declare our unalterable decision to continue united in a struggle on all fronts, giving priority at all times to a political solution which will ease the suffering of our people.

In solidarity with the democratic aspirations of our fellow citizens, in response to the support received, and committed to consolidate national unity and to strengthen our alliance, we the undersigned agree to constitute, as of this date, an organization to channel the efforts of democratic Nicaragua on all the battlefronts. Our organization is therefore to be the Unified Nicaraguan Opposition.

We reiterate to our people and to the world that our demand to the Sandinista Front is founded on our own historical commitment to achieve for Nicaragua the reconciliation of her children, to establish the foundation for a democracy and the moral and material reconstruction of the nation. We define our three commitments as follows:

NATIONAL RECONCILIATION

National Reconciliation is the priority task. It will be based on an amnesty and a total pardon for political and related crimes which will cover each and every Nicaraguan without exception; on the strengthening of the judicial system; the abolition of special tribunals; effective elimination of capital punishment; the inviolability of the right to self-defense; the demilitarization of society; redress for arbitrary and unjust acts that have been committed and the promotion of our national, religious, human and cultural values.

THE BASES OF DEMOCRACY

We will establish the foundation of democracy through the creation and application of the rule of law which assures the authority of civil society over the state; an authentic political pluralism; the holding of free elections with the right of participation of all the political groups without exception; the subjugation of all armed forces to civilian authority; the separation of powers; and just solutions for the demands of ethnic minorities. In sum, the rule of law will protect the inviolability of all human rights and fundamental freedoms.

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The transition toward democracy requires the formation of a government of reconciliation supported by the active sectors of the nation, which will have among its primary tasks the convening of elections for a Constituent Assembly. This government of reconciliation shall not continue for more than one year and during this period all electoral processes will be supervised by inter-American entities.

BASES FOR NATIONAL RECONSTRUCTION

The fundamental basis for national reconstruction will be a new social pact. This new social pact will be sustained through the responsibilities of the equitable participation of all the sectors of the civilian society both in terms of efforts as well as benefits. Thus, economic development will occur in harmony with social justice and political freedoms generating confidence among all sectors of the nation.

We affirm that the rights of the peasants and workers are an essential part of social peace and that these, along with entrepreneurs and professionals, will constitute the machinery for national reconstruction.

The state shall have a regulatory role in the national economy. Therefore, the centralism which reigns today in Nicaragua will be abolished.

The government of reconciliation will cleanse the state institutions and will return to the private sector all those activities of production, commerce and other services which this sector is capable of carrying out more efficiently in the interest of the common good.

We are struggling to bring about a Nicaragua which will have as much civil society as possible and as much government as necessary.

Finally, we declare that the cause of democracy in Nicaragua is vital for Nicaraguans as well as for the other Central American peoples. The refusal of the Sandinista Front to democratize Nicaragua is a direct threat to the rest of Central America. The recent violations of Costa Rican territory and the killing of two policemen in that country — events which shame and sadden us — presage new and greater tragedies. Consequently, we will ask the peoples and governments of the region to join us in our efforts to bring peace and democracy to Nicaragua through concrete and effective initiatives.

GOD SAVE NICARAGUA

June 12, 1985

UNIFIED NICARAGUAN OPPOSITION

Adolfo Calero Arturo Cruz Alfonso Robelo

THE NICARAGUAN OPPOSITION COORDINATOR

The undersigned representatives of organizations who make up the Nicaraguan Opposition Coordinator (CON) subscribe to and undertake to adhere to the concepts of this transcendental declaration of the Unified Nicaraguan Opposition.

The Nicaraguan Private Sector in Exile

The Democratic Nicaraguan Workers' Solidarity

Union of Nicaraguan Workers and Peasants

The Committee of Nicaraguan Democratic Workers

The Nicaraguan Conservative Party in Exile

The Nicaraguan Democratic Movement

The Nicaraguan Social Christian Party in Exile

The Social Democratic Movement of Nicaragua in Exile

The Independent Liberal Party in Exile

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TRANSLATION OF THE "DOCUMENT ON NATIONAL DIALOGUE OF THE NICARAGUAN RESISTANCE" AS SIGNED BY THE VARIOUS RESISTANCE LEADERS AND READ TO MEMBERS OF THE NICARAGUAN EXILE COMMUNITY IN SAN JOSE, COSTA RICA, 11:30 A.M., COSTA RICA TIME, MARCH 2 1985.

We, democratic citizens, representatives of all sectors of the Nicaraguan Resistance, announce to the Nicaraguan people, to the governments and peoples of the Americas and of the world, the following manifesto:

THE PRESENT SITUATION OF NICARAGUA

In recent years, the Sandinista Front has submerged our people in a crisis without precedent in our national history.

At this time, the impact of this crisis is evident in the economic, political, social and moral spheres of the nation.

This situation is rooted both in the abandonment of the Original Program of Government and the Fundamental Statute as well as in the interference of the Soviet Bloc in our internal affairs.

Both factors, the sole responsibility of the Sandinista Front, have brought about a sharp conflict whose protagonists are the governing party on the one hand and the Nicaraguan people on the other.

The Nicaraguan people reject, of course, the imposition of a regime which in essence contradicts the values and aspirations which gave birth to the revolutionary process. They are founded on the recovery of freedom, democracy and social justice so often postponed because of the Somoza regime.

In conclusion, the national crisis we face did not grow out of a confrontation between imperialism and the revolution, as the Sandinista Front pretends, but out of the contradictions which emerge from the clash between democratic expectations of the Nicaraguan people and the imposition of a totalitarian system such as that which is being implanted in our country by the Sandinista Front.

This conflict, which has produced a civil war, today threatens to destroy the Nicaraguan nation. And as stated in the recent document of the Nicaraguan Democratic Coordinator, it cannot be resolved through negotiations between the governments of other nations and the Sandinista Front nor through sectarian dialogues.

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From that perspective, it is clear that the elections of November 4, 1984, by virtue of having been a farse, contributed nothing toward the resolution of the national crisis. This view has been supported by the Inter-American Commission of Human Rights in its report for the period 1983-84, as well as by the political groups which decided to participate in the "elections", as they stated in the document entitled "Proposals of Minimum Concurrence for the Renewal of the National Dialogue," issued in January of this year.

The solution to the national crisis can only be found through a genuine understanding among all Nicaraguans that might end the civil war and lead to the reconciliation of the Nicaraguan family.

We wish to emphasize that this initiative is not taken merely to search for a share of power, but rather it seeks only to establish in Nicaragua the rule of law which will permit the people to live in peace and to go about resolving our problems within a new constitutional order.

COMMON ASPIRATIONS

We aspire to the democratization of Nicaragua, conscious that democracy is the only means to carry out an authentic revolution and rescue our national identity and sovereignty.

We aspire to reconstructing Nicaragua, to promoting its development in accordance with a model which gives priority to the dispossessed sectors.

We aspire to the establishment of a political system which guarantees a real separation of powers, authentic pluralism and a just, efficient mixed economy.

In order to carry out the foregoing, the following is required:

- a) To recognize the primacy of civilian society with respect to the State and to assure through it the dissolution of the totalitarian state-party-army trilogy.
- b) Full respect for human rights and fundamental freedoms of expression, assembly, religion and education.
- c) De-militarization of society and the absolute subjection of police functions to civilian authority.
- d) A foreign policy which has as objectives the preservation of national sovereignty, peace and harmony with neighboring countries in particular, and effective reactivation of the historical aspirations of Central American Unity.

- e) An economic system which provides for the development of the private sector which includes cooperative enterprises, as well as the clear definition of the participation of the State as a subsidiary economic agent and promoter of social development.
- f) Institutionalization of a multi-party electoral system which guarantees free elections, alternation in power and respect for the minority.
- g) Freedom to organize unions.
- h) A modern, productive process of integral agrarian reform.
- i) Administrative decentralization and effective autonomy for municipal government.
- j) Full recovery of the Atlantic Coast, integrating it completely in the national life, guaranteeing respect for the culture and traditions of the various ethnic groups of the region and of the rest of the country within a framework of effective municipal autonomy, exercised in the context of the insolubility of the Nicaraguan nationality.
- k) General amnesty and pardon for political crimes and related crimes.
- l) Expulsion from the country of all foreign internationalists, military advisors and troops, including those who may be found using the identity of deceased Nicaraguan citizens and those who have been improperly naturalized.

THE LAST AND DEFINITIVE SUMMONS

After having carried out multiple peace initiatives in the last three years directed toward establishing a constructive dialogue with the Sandinista Front that would end the civil war and lead to the reconciliation of the Nicaraguan family, we recognize that those efforts have been fruitless because of the intransigence of the Sandinista regime and because of the designs of the Soviet bloc.

The Sandinista Front, by ignoring and failing to comply with the agreements made in the past, has lost the necessary credibility to reach a good faith understanding. Such is the case of the agreements reached with the XVII Consultative Meeting of the OAS Council of Ministers, the Original Program of Government, the Fundamental Statute, the Eighteen Points of Concurrence of the Forum for Discussion of National Problems, and the promises to carry out a free and honest election, among others.

Therefore, in view of the gravity of the moment, and conscious of our civic responsibilities and of the urgent need to save our people from greater suffering, we accept the call to convene issued by the Nicaraguan Democratic Coordinator and we call upon the Sandinista Front, for the last time, and in definitive and absolute fashion, to participate in a national dialogue which will end the national crisis. This dialogue should follow these modalities:

Convocation

The Nicaraguan Bishops Conference is the entity with the necessary moral authority to organize and coordinate the National Dialogue. In this regard, we reiterate the petition made to it by the Democratic Coordinator to convene the National Dialogue.

Participants

In order that the dialogue be efficient and produce the desired results, it is necessary to structure it in accordance with Nicaraguan reality. There are two political tendencies in Nicaragua: the totalitarian one which for the moment has accepted the Sandinista Front as its vanguard, and the democratic one which is divided into armed organizations and civilian organizations; therefore, the Dialogue should be between these two political tendencies so that both can name their respective delegates, as many as the Bishops Conference feels is appropriate.

Observers and Guarantors

We suggest to the Bishops Conference that it request the participation of the Central American Governments in the Dialogue as guarantors of the agreements which may be reached, given the fact that the sister peoples of Central America are, in the final analysis, are those which have been most directly affected by the Nicaraguan crisis.

The presence of these governments as guarantors in no way hinders the presence as observers or even as guarantors of other governments and democratic entities of the American continent.

Minimum Requirements

We support fully the minimum requirements demanded by the Democratic Coordinator in order to initiate the National Dialogue. They are: Suspension of armed activities, with a cease-fire in situ; lifting of the state of emergency; absolute freedom of expression and assembly; general amnesty and pardon for political crimes and related crimes; entry into effect of the right of asylum and habeus corpus, adding the granting of full protection of the physical and moral integrity of those members of the Resistance who participate in the Dialogue, in the event that it should take place in Nicaragua.

The application of these measures should be carried out under the supervision of the guarantor governments.

Temporary Permanence of the Executive

If this dialogue is carried out, we commit ourselves to accept that Mr. Daniel Ortega continue acting as head of the Executive Branch until such time as the people pronounce themselves in a plebiscite. During this period, Mr. Ortega should govern in fulfillment of the promises of the Nicaraguan Revolutionary Government Junta contained in the document of July 12, 1979 and directed to the Secretary General of the Organization of American States, an in fulfillment of the Original Program of Government, the Fundamental Statute and the American Human Rights Convention and the Pact of San Jose.

Initial Points of the Agenda :

Although it will be up to the Bishops Conference to establish a definitive agenda, by agreement of the parties, we urge it to include as of now the following points:

- 1) That the legal procedure and actions of the government conform immediately to the American Convention of Human Rights, or the Pact of San José, which was ratified by the Nicaraguan Government of National Reconstruction on September 25, 1979, declaring it the law of the land and committing the national honor to its enforcement.
- 2) The dismantlement and immediate dissolution of all the party repressive organisms such as the CDS (Sandinista Defense Committees) and the other para-military organs.
- 3) reduction of military strength, the apolitical nature of the army, an end to the arms race, and the withdrawal of all foreign military troops and advisors and internationalists.
- 4) Immediate dissolution of the National Constituent Assembly.
- 5) A new provisional electoral law.
- 6) A new provisional law for political parties.
- 7) Re-structuring of the electoral system in accordance with the above provisional laws.
- 8) Calling of elections for a National Constituent Assembly.
- 9) Calling of municipal elections.
- 10) Calling of a plebiscite on the conduct of new presidential elections.

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Initiation of the National Dialogue, Instrumentation and Deadlines

In order to carry out the National Dialogue proposed by the Democratic Coordinator, on the basis of the statements contained in this document, and conscious of the leninist tactic of stalling in order to consolidate the totalitarian program of the Frente Sandinista, said Dialogue must begin by March 20, 1985. This date cannot be postponed. If by April 20, 1985 the National Dialogue has not begun or has not progressed in clear and substantial form, it will be definitely suspended by the Nicaraguan Resistance, thereby terminating the possibilities for a peaceful resolution of the national crisis.

If the Nicaraguan Bishops Conference considers it useful to hold conversations with this group for purposes of preparations leading to the speedy realization of the Dialogue, we announce our immediate availability to participate in such conversations. To that end we appoint as our representatives Mssrs. Arturo J. Cruz, Alfonso Robelo and Adolfo Calero.

May love for our fatherland overcome selfishness and foreign involvement, so that the National Directorate of the Sandinista Front will respond positively to this our last effort to grant to our country a civilized solution.

God Save Nicaragua!

Panama Agreement For National Conciliation

Before God and country, for the sake of unity, in peace and liberty of the Nicarraguan people and the people of Central America, whose historic identity is imperiled by the Marxist-Leninist totalitarianism. We representing the Alianza Revolucionaria Democratica (ARDE) and Fuerza Democratica Nicaraguense (FDN) hereby agree:

1. To struggle united until our country oppressed by the Marxist-Leninist totalitarian regime and occupied by foreign troops, is freed. By the same token, to struggle against any attempt to bring back the past.

2. To install in Nicaragua a transition government of national conciliation, which will have as its mission of priority to initiate the democratization of the country, process which will conclude within one year by holding truly free elections guaranteed by interamerican organizations. This transition government will be integrated by representatives of opposition groups to the prior and to the present dictatorships. Will respect human rights of all Nicaraguans, will vindicate the national sovereignty of Nicaragua and will be responsive to the expectations of peace, justice and liberty of the people of Nicaragua.

3. To honor the patriots that have shed their blood in defense of the national values, of those that are imprisoned and of those that fight in the homeland. All of them heroic volunteers of this struggle for freedom.

4. To reiterate our support for the civic struggle being waged against the consolidation of totalitarianism by democratic organizations inside occupied Nicaragua.

5. To denounce that the obstinacy of the new dictatorship has frustrated the actions of the hemispheric organizations that would have avoided the fratricidal war, and reaffirm our faith in the interamerican system. With the conviction that the perseverance of their effort will contribute to the democratization of Nicaragua as necessary element for the peace and stability of the region.

Proclaim that, inspired in the memory of our founding fathers who laying aside ambition and rivalries, constituted in 1856 the national unity which expelled the filibuster of that time, we will give an impulse to our nationalistic action, combining efforts with the efforts of those who sincerely struggle against the Sandinista totalitarianism. Responding to a historical mandate of a country which has shed its blood to conquest its liberty.

Signed in the City of Panama, Republic of Panama, July 24th, 1984. Anniversary of Liberator, Simon Bolivar.

By:

Alianza Revolucionaria Democratica
(ARDE)

Alfonso Robelo
Roberto Ferrey
Juan Zavala

Fuerza Democratica Nicaraguense
(FDN)

Adolfo Calero
Alfonso Calleja
Indalecio Rodriguez

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SELECTED READINGS

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The Nicaraguan Democratic Struggle: Our Unfinished Revolution

By Alfonso Robelo

It is very gratifying to me, a Nicaraguan social democrat, to be able to speak this morning on the platform of the Social Democrats, USA. It is good to be reminded that there are places where the authentic spirit of the democratic Left not only endures, but flourishes: places where to be a revolutionary still means to be a fighter for human freedom, and where the terms "comrade" and "companero" are not just a designation for the aspiring functionaries of a police state.

My experience over the past five years has taught me how rare and valuable a thing the quality of true "solidarity" has become. Many of those — in this country and elsewhere — who had nothing but praise for me and my friends when we fought for the overthrow of the Somoza dynasty now scorn us when we insist that the struggle for democracy in Nicaragua still continues. Not so the Social Democrats, USA.

It is also important to rebuild an understanding throughout our hemisphere that social democracy is alive and well both in the United States and in Central America. The truth, as I have constantly tried to explain to visitors from the United States (at least those who care to listen) is that Central America is by no means a region where politics is divided simply between the members of decadent oligarchies and the ruthless proteges of Fidel Castro. Over the past generation, Central American society has been transformed. There is, in every country, a growing, educated, moderate middle class. There are energetic and increasingly skilled workers. There are campesinos who are eager for the peace and stability that will enable them to reap the harvest of agricultural modernization.

Yes, many of these people are revolutionaries — but the revolution they want is the revolution of democracy. The revolution they want is one that will enable them to take their rightful place among the stable, prosperous and free societies of the Western world. Right-wing tyrants and Castroite fanatics are not the appropriate political leaders of Central America — social democracy is a far more natural expression of our societies as they are today. But memories and prejudices still endure, in the U.S. and in Western Europe, which blind many to this truth.

But we Central Americans ourselves have no reason to be self-righteous. Too often we have our own prejudices about the United States. Too many in our political affairs suffer under the impression that the United States of today fits the cartoon image of capitalism and imperialism popularized a generation and more ago. We are only beginning to really understand how much more there is to your country than the United Fruit Company and the U.S. Marines.

Ironically, it took Fidel Castro to teach us how to build bridges to American liberalism. But Castro and his allies have betrayed the liberalism of the United States. Now those of us of the democratic Left must work doubly hard to rebuild close relations with trade unionists, Democrats and genuine liberals in your country. That, in fact, is what brings me to your convention today.

Let me begin with an idea that is somewhat speculative. I am convinced that there is a great new development underway in world politics, and that we Nicaraguans have been chosen by fate or some greater Providence to play a signifi-

Paper presented before the National Convention of Social Democrats, USA, June 15, 1985. Reprinted with permission of Social Democrats, USA.

cant role in it. I am speaking of the growing willingness of peoples who are being brought under the heel of communist totalitarianism to resist — even when resistance may require them to resort to armed struggle.

No longer do we hear news of rebellion and insurrection only from the capitals of old-fashioned despotisms and military regimes. Some of the most intense liberation struggles being fought today are struggles against dictatorships of the extreme Left, dictatorships which owe their existence in great measure to the patronage of the Soviet Union. There is the remarkable heroism of Afghanistan's mujahidin. There is the tenacious struggle of the Cambodian resistance movement, which has endured both the brutalities of the Pol Pot regime and the occupation of a merciless Vietnamese Army. There are the anti-Marxist rebels in Angola and anti-Soviet rebels in Eritrea. And, of course, there is the movement in our own hemisphere in which I am honored to take part — the Nicaraguan democratic resistance.

All these movements — and, in its own way, the non-violent Polish freedom movement, Solidarity — represent a new development in international politics. It is a new phase in the great popular surge of opposition to colonialism and support for self-determination that began to sweep the world at the end of the Second World War. In its first phase, that surge was naturally enough directed against more familiar forms of oppression and exploitation: those which rested on the power of Europe and North America. In its second phase, this international liberation movement is beginning to struggle with a newer but in some ways more ruthless and insidious form of oppression: the power of the Soviet Union and its allies.

In many respects, this development in world politics represents a perhaps unexpected response to "the lessons of Vietnam." One of these lessons is that Communists are not liberators. In my country, the Sandinista National "Liberation" Front have repeated that lesson,

becoming the conquerors not the liberators.

Another is that if peoples of smaller and less developed societies want freedom, we cannot rely on the great industrial democracies to grant it or to secure it for us. We have to gain it for ourselves.

Another is that if we are determined, we can win — even the massive resources of a superpower are limited.

The rise of anti-Communist resistance movements has aroused great interest, of course, here in the United States. What ten years ago seemed like a massive storm front of Third World hostility which was moving against this country with historical inevitability suddenly turns out — just possibly — to have a silver lining. Just when you yielded to the idea that the United States could not be the policeman of the world — and worried that the Mafia might take over — some other citizens of the world have volunteered to help put the Mafia back in its place. Just when a panic was developing over the proposition that the only way to resist Communist expansion involved a great risk of nuclear war, some people have come forward with a low budget, low intensity, and reassuringly "low tech" alternative.

All this has provoked some creative thinking and enthusiasm among anti-Communist conservatives in the United States and the Reagan Administration. Our friend Charles Krauthammer, writing in Time magazine (April 1, 1985) even describes something called "The Reagan Doctrine." This new strategic concept in U.S. foreign policy, Krauthammer argues, justifies U.S. support for "all armed resistance to Communism, whether foreign or indigenously imposed."

But, as Krauthammer and others have recognized, there are potential pitfalls to the so-called Reagan doctrine. I think that we of the democratic Left must acknowledge that the new conservatives of the United States are showing courage

and imagination in exploring this new response to the post-Vietnam world. But we also have a great responsibility ourselves to define and guide the strategy of democratic resistance to Communist power.

There is reason to worry that, unless the democratic Left takes a large role in it, the anti-Communist resistance could become no more than that: mere anti-Communism.

I do not want to quarrel here with those who make elegant geo-political and balance-of-power arguments in favor of containing Communism, nor with those who have asserted that traditional authoritarianism is a lesser evil than Communist totalitarianism. My point is simply this: mere anti-Communism lacks the moral energy and popular appeal that is required of any movement which hopes to withstand the force of Communist expansion.

This is something we should all have learned from the failure of the earlier Cold War strategy of "containment." The containment strategy became so broad and inclusive and even sloppy that it gradually lost its moral and political foundation. The United States and other Western powers came to rely on a patchwork of sometimes corrupt or repressive regimes as a bulwark against Communist expansion. Those regimes could not be sustained: Batista, Diem, Salazar, Somoza and the rest.

Indeed, as my colleague Arturo Cruz has put it, while authoritarianism may in some respects be preferable to totalitarianism, experience teaches us — especially us Nicaraguans — that authoritarian dictatorships lead to totalitarian systems. It is worth remembering that, since the end of World War II, not a single country in which democracy has had firm roots has fallen victim to the Communists. Those which have fallen have been societies where right-wing or military repression have stunted political development, breeding the confusion and rage in which Communism thrives.

I can understand, of course, that in some exceptional circumstances the interests of the United States, as leader of the free world, may require that you have relationships with forces which are not wholly democratic in character. But these can never be the model. As a rule, if anti-Communist resistance movements are to succeed, they must be broadly representative of the population upon which they rest. They must insist upon human rights. They must offer the average person a vision of the future which can compete with the false utopianism of the Marxist-Leninists.

Second, if these democratic resistance movements are to succeed, they must be independent and self-governing. They cannot be agents or proxies of the United States. They will at certain times need your advice, your training or your material assistance. But unless they are truly indigenous and self-reliant, they cannot win. And, even if luck should let them win, they will not be able to govern.

A third and related point: the military capability of these movements is not as important as their political skill and strength. A band of guerilla fighters operating where there is an organized political underground and a sympathetic population will be far more effective than a column of armed personnel carriers loaded with the latest products of Silicon Valley.

The Soviets have long recognized the proper relation between military power and other factors. They describe it as "the correlation of forces." It is most ironic that the democratic world, where your domestic political skills are so highly developed, so often neglects politics and relies so heavily on military means when dealing with threats from abroad.

For all these reasons, the effort of the United States and other world democracies to assist democratic resistance movements to Communism is too important and too difficult to be left to the right-wing alone: The Left — the democratic Left — has an urgent and critical

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role to play. There are too many on the Right who — perhaps because they fear that their wealth or privilege is unjustified — are anxious about popular participation and power in government and society. They are too often uncomfortable about labor unions — although in every society, a democratic labor movement has been the strongest barrier to Communist subversion. They are leery of land reform — although small farmers were the basis for American democracy, and have strengthened democracy enormously in such diverse places as Japan and El Salvador. They imagine that what we Latin Americans call a "mixed economy" is a halfway house to state socialism — although some measure of social accountability in economic affairs has always proved to give stability to society — even to your own. And some conservatives have too fearful an attitude toward issues of minority rights, or women's concerns, or the questioning of traditional values — mistakenly believing that when ordinary people are free to explore and shape their own lives, they will quickly slide into decadence.

We of the democratic Left know better. We have confidence in the people, and in the institutions of democratic life. We can help shape the resistance to Communism into a potent force, a force which taps the hopes and loyalties of the people. But, if we are to accomplish this, we must first engage our own energies — moral and political — in the resistance movement.

It is here that so much remains to be done. The vote last Wednesday in the U.S. House of Representatives to aid the Nicaraguan democratic resistance was stronger than we expected. But I for one was disappointed that so many Democratic Party leaders whom I admire failed to join in it. After all:

- * It is we who stand for a free trade union movement in Nicaragua.
- * It is we who stand for the rights of the Miskito Indians and the Creoles on

the Atlantic coast.

- * It is we who stand for a free press, for civil and political rights, for schools that teach rather than indoctrinate, and for religious liberty.
- * And it is we who want and deserve the full support of the liberals of the United States.

Only when we have bi-partisan, liberal and conservative support in the United States can we promise our other friends and supporters that we will be able to follow a steady and effective course of action.

Only when we have broad popular support in this country and elsewhere can we consolidate our unity as Nicaraguans. Then we can achieve far more coordination and discipline among all the insurgent forces in Nicaragua's civil war. This will help us prevent human rights abuses by individuals in our country who may react recklessly to the provocations of the Sandinistas. This will help us achieve the cohesion we need if we are to actively pursue a political solution to the conflict, opening the doors for national reconciliation.

I want to thank the Social Democrats, USA for the assistance you have given in seeing that the Nicaraguan democratic movement has had a hearing among the member parties of the Socialist International. We were deeply disappointed that the official observer of the Socialist International to last November's so-called elections in Nicaragua, Thorwald Stoltenberg of the Norwegian Labor Party, overlooked the grave abuses of democratic process that occurred. But we were encouraged that Venezuela's former President, Carlos Andres Perez, leader of the most important Latin American Party in the International, Accion Democratica, refused to attend Daniel Ortega's inauguration, on the grounds that his election had not been properly conducted. Those so-called elections represented no solution to the civil war; to the contrary, the

Sandinistas lost a golden opportunity for national reconciliation and bringing democracy to my country. We intend to press for support among all the members of the Socialist International and we will continue to ask your help.

I want here and now to ask all member parties of the Socialist International to take a simple but concrete step: challenge Daniel Ortega to behave like Napoleon Duarte. Challenge him to sit down for dialogue with us, his fellow countrymen — just as President Duarte has done at La Palma.

Last Wednesday representatives from principal forces in the Nicaraguan resistance met in San Salvador, El Salvador, to issue a joint declaration on our strategy and goals, after the Sandinistas rejected our last peace initiative. El Salvador is now well on its way to becoming a free country, and to consolidating its newly born democracy. We were grateful for their hospitality. We are not free to meet and speak on the soil of our own people.

In our San Salvador declaration, we set forth the reasons for our struggle — but we also set forth the basis for an end to all fighting in Nicaragua. I plead with all Social Democrats — and, for that matter, all liberal Democrats in the United States — to consider the merits of this declaration.

We commit our movement — not to another struggle for factional power — but to national reconciliation. We promise "to give priority at all times to a political solution which will ease the suffering of our people." Will the Sandinistas do the same? Willy Brandt, Francois Mitterand, Tip O'Neill — will you ask the Sandinistas that question?

We commit our movement to establish democracy, the rule of law, authentic political pluralism and "free elections with the right of participation of all the political groups without exception." (Yes — "without exception.") Will the

Sandinistas do the same? And you — Olaf Palme, Francisco Pena-Gomez, Michael Barnes — will you ask them too?

We commit our movement to the proposition that the rights of workers and campesinos are an essential part of social peace, and that there will be "equitable participation in all sectors of civil society, both in terms of efforts as well as benefits." Will the Sandinistas do as much? Will they meet with us to discuss such a simple and basic proposition? Will the democratic Left — Edward Kennedy, Felipe Gonzalez, Bettino Craxi — ask them publicly to do it?

Those Nicaraguans who met last week in El Salvador to issue this declaration have constituted ourselves as a new national alliance. We call it UNO — The Unified Nicaraguan Opposition. One purpose for our meeting was to again set forth the basis for a political solution to the civil war now raging in our country. But another purpose of the meeting was to create a new political mechanism which can more effectively carry on our struggle, if the Sandinistas continue to respond to us with violence and contempt.

We have agreed that this organization — composed entirely of civilian political leaders who participated in the democratic struggle against the Somoza dictatorship — will serve as the agency to "channel the efforts of democratic Nicaragua on all the battlefronts." We hope that all of our critics who think of themselves as democrats will take note of this fundamental new fact of the Nicaraguan struggle.

To sum up, all in all:

- * The Nicaraguan resistance has now shaped itself into a movement that clearly merits the support of all friends of freedom — liberal, social democratic and conservative.
- * We represent the second phase of the great movement for independence, national self-determination and uni-

versal human rights that swept the world earlier in this century. Now we are beginning to confront the new imperialism, Communism. We need your help to overcome it, but only your help. The main task is ours.

- * We especially plead with democrats on the Left: give us your support. Without you, our difficulties will be far greater. And, I might add, if you do abandon us, your difficulties will be much greater, too.

I thank you — for your attention, for your assistance, and most of all, for keeping alive the noblest tradition of the Left — the spirit of democratic solidarity.

The following is a translation of an article which appeared in the Madrid daily ABC on Friday, March 29, 1985.

REALITIES ABOUT THE ANTI-SANDINISTA REBELS

By Arturo J. Cruz

Many are the capricious criticisms gathered by the international media about the insurgents engaged in armed struggle against the Sandinista Front regime in Nicaragua. In no way does this mean that all the charges about human rights violations attributed to the rebels, or about the presence of former members of the defeated National Guard and ex-Somocistas in their ranks are false. By the same token, similar affirmations about the Sandinista Front itself are not false either.

I, myself, have blamed the National Guard and the Nationalist Liberal Party for not having acted with firmness and vision; for they could have demanded the timely stepping down of Somoza instead of permitting themselves in the end to be dragged down by him when he fell. In like manner I have expressed my fear that Sandinista excesses are carrying us back to the past, that is, to the return to power of Somocismo. The need for serene reflection and objective analysis, however, becomes imperative after nearly six years of Sandinista rule, years which demonstrate that the return to the past has already happened, but by means of the contradictions of the Sandinista Front itself as it stumbled into the same vices of the Somoza regime. Furthermore, the time has arrived to invest ourselves in an ecumenical spirit to redeem those citizens who did not commit abuses while serving in the National Guard. Those in the rebel ranks who now fight against communist terrorism, those who are alongside former Sandinista combattants, students, workers, professionals and peasants, even more justifiably deserve recognition.

Recently I visited some rebel camps in order to acquire more knowledge about the combattants. First I was along the San Juan River, in the south of Nicaragua, where I was able to exchange views with several guerrilla commanders of ARDE (Democratic Revolutionary Alliance). Then I did the same with those of the FDN (Nicaraguan Democratic Force) in one of its bases near the Coco River in the north of the country. Lastly, I was with combattants of the UDN-FARN (Nicaraguan Democratic Union-Nicaraguan Revolutionary Armed Force, who are also located in the south.

An accusation frequently leveled against the strongest of the rebel groups, the FDN, is that it is made up principally of and controlled by former National Guardsmen. It should be borne in mind that the first rebel uprisings against the Sandinista regime were organized fundamentally by old members of the National Guard who had found asylum in Honduras when the Sandinistas triumphed in July, 1979. Two years later, the U.S. government, by that time quite concerned about the direction the Sandinistas were heading in their revolution, oriented toward totalitarianism and alignment with the Havana-Moscow axis, showed increased interest in the

rebel forces as a means of pressuring the Sandinistas. In my capacity as the Sandinista government's ambassador, I had the task at that time of protesting in Washington against the training camps for rebels which were being operated in U.S. territory.

Another concern which I have shared with many people is the possibility of a blood bath of young Sandinistas in the event of a sudden and unbridled victory, although not probable, of those who have taken up arms. The reason for this fear is the deep animosity which moves those who were soldiers in the Somocista regime and who fled in the face of the advancing Sandinistas, leaving behind their property and their families. Their less fortunate companions who were unable to escape were taken prisoner and some were summarily executed. The misfortune of the National Guard when Somoza fell, in view of the international pressures and the popular insurrection, with the Sandinista Front in the vanguard, produced humiliating and bitter results. The bulk of the enlisted men sought the protection of the Red Cross; but unfortunately, because of some technicalities related to their "status", they were classified as prisoners. Later they were tried by special Tribunals, receiving unheard of sentences. For example, someone who only for having been the driver of an army chaplain was sentenced to 17 years in prison, despite numerous appeals. His younger brother is presently in the FDN and he has taken up arms, understandably, full of bitterness and resentment because of the injustice suffered by his relative.

From my conversations with insurgent leaders springs the hope that they are guided by a mystique of national renovation and that in victory they would be liberators and not conquerors, and that they could demonstrate as well, when the time comes, a spirit of reconciliation.

If, indeed, it is true that there are former National Guardsmen who have served or continue to serve in the ranks of all the guerrilla fronts, it is equally true that in the last two years the FDN has undergone a cathartic process which has eradicated those elements which may have been guilty of atrocities. In ARDE the leadership is exercised by a "caudillo" of great merit and accomplishments in the revolution. The FDN is an organization with a more impersonal structure of authority. The political-military head is a long-time anti-Somocista who is now an anti-Sandinista. The two highest ranking operational level officers are former National Guard officers. The composition of the 15,000 men, however, shows the following percentages: Former Guardsmen, 1%; former Sandinistas, 19%; others, 80%.

The majority of the troops are peasants from the provinces of Jinotega, Matagalpa, Zelaya Norte, Estelí, Nueva Segovia and Madriz. Many among them are peasants who have been victims of Sandinista repression and of the stalinist policies of the regime. Twenty-five percent of the total force is made up of women. Eighty percent of the commanders are between twenty and thirty years of age. The fact that these guerrillas enjoy constant access to a large northern region demonstrates that they have a base of support among the population, receiving from it farm implements and hand-operated grinders for grinding corn; and all of this occurs in a climate of friendship and cooperation.

The extraordinary increase in the number of new volunteers which is experienced day to day shows that it is an indigenous movement; therefore, it is unjust to qualify it as mercenary.

Official propaganda constantly reports the deaths of coffee pickers at harvest time, attributing them to guerrilla cruelty. The reality is that the government sends brigades of workers who carry arms and who are transported in military convoys. They make up part of the human barricades: cannon fodder, exploited by the cold and insensitive communist propaganda.

According to available reports, the Sandinistas have a policy of subjecting entire regions to fierce shelling which kills many innocent civilians and who the government of Managua later portrays to international opinion as victims of the rebels. Last December the Sandinistas shelled for 14 days straight the districts of Wastari, Wisisi, Ayapal, Turuwas, Atapal and Wina, in the province of Jinotega. They used four Candi bombers, four MI-8 helicopters, and two push-and-pull planes.

More recently, in February, they gave the same punishment to the districts of Bramadero, Santa Cruz, El Portillón, Jiquelite, La Breyera and La Rica. This time the Sandinistas used artillery of great fire power.

One can imagine the terror which afflicts the inhabitants of these places. It is, then, a terrorizing cruelty which the Sandinista Front displays with its insensitivity to the proposals from the resistance to carry out a national dialogue which can re-establish harmony among the Nicaraguan people.

As for the intentions of the rebel leaders, Commander "Toño", Walter Calderón López, who was a young lieutenant when the Sandinistas were victorious, said to me:

"I am not fighting for the re-establishment of the National Guard; rather, I do it for the well-being of my people, for a Nicaragua in which any political party can come to power through elections and not by force of arms."

The Sandinista Front is the one which can put an end to the resistance; but not with bullets--with justice and respect for freedoms. For those ideals have fallen in combat against the Sandinistas men who at one time were their companions, among them "Dimas", "El Cuervo", "Gerónimo", "Calimán", "Iván", "Látigo", and "Rolando"....and others still carry a rebel rifle...including "Douglas", "Tiro al Blanco", "Franklin", "El Diablo", and "El Tigrillo".

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NICARAGUA AND THE RULE OF LAW

By Adolfo Calero

Some people maintain that the November elections and the January inauguration of Daniel Ortega as president marks the arrival of democracy in Nicaragua. They point out that the Sandinistas gained fewer than two-thirds of the National Assembly seats, concluding, therefore, that the political opposition has an effective voice in shaping policy.

The fact is that nothing has changed in Nicaragua. The ideals for which we fought against the Somoza tyranny have been replaced by the arbitrariness of block committees, peoples tribunals and executive decrees. The rule of law in Sandinista Nicaragua is but a dream, a hope; for the unelected nine-man Frente Sandinista directorate rules the country today.

It is precisely the absence of the rule of law and of real prospects for bringing it about that has produced a previously unlikely alliance among diverse opposition groups. On March 1 a broad coalition of these groups met in San José, Costa Rica and signed a "Declaration of Principles" urging the Ortega regime to join in a "National Dialogue" to bring about a "civilized resolution of the problem." Under this peace initiative, Ortega would continue as Chief Executive, while the Catholic Bishops would be mediators.

Managua's response was to deny entry into the country of opposition figure Arturo Cruz, one-time Sandinista ambassador to Washington and a presidential candidate who was forced to withdraw from the elections. His crime? To have signed the declaration urging a dialogue. Daniel Ortega arbitrarily decided to exclude him, denying him a basic right of his Nicaraguan citizenship.

On March 9, civic opposition leaders in Managua were summoned to State Security headquarters and accused of plotting against the government. Political, business, labor, agricultural and other leaders who endorsed the call for dialogue were accused of subversion. Because they broke no law, however, they were "tried" through slanderous reporting in government controlled media. So fearful is the government of responsible opposition that it has initiated a smear campaign against Dr. Cruz and civil leaders still in Managua.

Some news agencies have reported that the National Assembly in February passed a law granting dictatorial powers to Daniel Ortega, powers virtually identical to those wielded by Anastasio Somoza. Mr. Ortega can create or abolish any institution, suspend basic rights, impose censorship...anything he wants.

The Assembly passed another interesting piece of legislation in early March. It requires at least 10 co-sponsors for a new bill to be introduced. Given the small size of the opposition, this rule virtually prevents the consideration of any measure the large Sandinista majority opposes.

Still more alarming is the recent revelation by Sandinista officials that rather than a true legislative body, the Assembly is to function as a "Constituent Assembly" whose sole responsibility will be to write a new Constitution. This task is to take at least two years--perhaps more. Meanwhile, Daniel Ortega rules by decree and whim, and the Sandinista Front consolidates its power, all the while relying on public relations to mask its true intentions.

In short, nothing has changed in Nicaragua since the elections. The government, the National Assembly, the state security, the armed forces, the rationing system, the neighborhood watch committees...all of the institutions of society, except for the Church and part of the diminishing private sector, are under the

control of a single party, the Sandinista National Liberation Front.

Prior to the revolution of 1979, power was in the hands of the Somoza dynasty, and Somoza did his will much as the Sandinistas do theirs today. Somoza was unwilling to compromise, unwilling to give up anything; unwilling, even, to open a dialogue which would have avoided bloodshed.

Beginning shortly after the revolution, we of the democratic opposition began appealing for a dialogue. As history shows, our efforts have been met with intransigence. Painful as it may be, some of us have resorted to armed force to put our nation back on the path which guided our struggle against Somoza. Now we have made our last appeal for a dialogue, for a civilized resolution of our differences.

Our coalition of opposition groups is broad and deep. We seek peace, dialogue and reconciliation. But if we are rebuffed, we will have no choice but to continue the armed struggle.

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'Contras' Are on the Right Track

By Adolfo Calero,
Arturo José Cruz
and Alfonso Robelo Callejas

Public opinion in the United States has a passion for "balance" — for believing that both sides in any conflict are at fault and blaming both in equal measure. In the case of the Central American conflict, this is leading many people astray.

There has been increased recognition in the United States of the fraud perpetrated by the Sandinistas. People hear increasingly urgent expressions of concern from the elected leaders of Nicaragua's neighbors, and there is growing awareness of the danger that the Sandinistas pose to peace and democracy.

This recognition is all to the good. The problem is that many North Americans worry that it is one-sided. They don't like the fact that it may lead Washington to support the Nicaraguan opposition — and so they look for a "balancing" argument. They suggest that, while the Sandinistas are bad, there are also grave problems with the anti-Sandinista fighters known as the "contras" — an incorrect label first pinned on them by the Sandinistas.

This is an easy way out: No political movement is above reproach, and one can always point to disagreements and unsavory elements in the opposition. In truth, however, the facts do not justify the charges.

We in the United Nicaraguan Opposition, an umbrella group known as U.N.O., are the first to admit that there are differences among our leaders. We respect our differences and are proud we do: That is what distinguishes us from the Sandinistas. U.N.O. has brought together a wide range of democratic groups — from all across the spectrum of those who joined in the revolution against Anastasio Somoza Debayle — struggling to prevent the consolidation of Sandinista rule, and we are proud to be united behind this objective. The organization was designed to preserve differences of opinion on economic and social questions and to preserve the groups that represent each point of view.

There is, however, one issue on which we brook no disagreement — human rights. Our commitment to respect human rights applies even while we are fighting against those who systematically violate the rights of other, innocent Nicaraguans. We agree across the

board about the need for systematic procedures to insure that this commitment is implemented by our troops and that violations are punished. Such procedures have been in place for some time. They are continually tested and will continually be improved.

Only the very innocent imagine that we could fight a guerrilla war with no misconduct by our troops. But a large share of the "atrocities" of which we are accused are either fabricated by the Sandinistas or are in fact atrocities committed by the Sandinistas.

Beyond this agreement, the U.N.O. leadership is also united in its goals — peaceful solutions and national reconciliation. All the groups in the organization have repeatedly offered to stop fighting and start negotiating. That offer is still open.

The leadership of the Nicaraguan opposition has the right to disagree about many things, but we agree on the important points. We recognize that the only legitimate source of power is a free electoral process. We agree completely on the need to overturn the Sandinistas' totalitarian control of Nicaragua. We prefer to do so by negotiation, but we recognize the need now to fight for this objective. We are determined to respect human rights even at the height of the struggle, and we hope to establish a genuinely democratic system under which every Nicaraguan has the right to participate in the political process.

The Sandinistas have failed historically because they became an instrument of foreign interests. We are not, and will never be, the instrument of a foreign power.

The Nicaraguan opposition is the genuine voice of the people of Nicaragua. It does not threaten a return to Somoza. Its strength comes from tens of thousands of Nicaraguan peasants and other young people from every social class who are willing to risk their lives to fight for it — to fight for pluralism and freedom and the protection of human rights. □

Adolfo Calero, Arturo José Cruz and Alfonso Robelo Callejas make up the directorate of the United Nicaraguan Opposition. All three fought in the Nicaraguan revolution. Mr. Robelo and Mr. Cruz have held high positions in the Sandinista Government.

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The Sandinistas' 1986 strategy.

MANAGUA'S GAME

BY THE END OF 1985 it was obvious that the National Directorate of the Sandinista Front was aware of a sharp decline in its strategic position, and sensed that 1986 would be a year of crucial decisions. At issue was not merely the country's unprecedented economic crisis but also the estrangement between Nicaraguan society and a self-styled revolutionary state. What's more, the Sandinistas' international image was suffering from their intimate and gratuitous alliance with the Communist world, their relationship with guerrilla groups in Latin America, and their lack of sensitivity to the needs of their liberal friends in the U.S. Congress.

But there had been positive developments for the Sandinistas as well. The election of Daniel Ortega as president in 1984 had resolved the problem of attempting to rule by a directorate of nine equals. They had consolidated the mechanisms of social control, from the Popular Sandinista Army and the Ministry of Interior to the bureaucracy represented by the Committees of Sandinista Defense and a highly sophisticated ideological apparatus. And despite the loss of prestige, they continued to be regarded by the international community as preferable to the so-called counterrevolution, or perhaps more precisely, as the lesser of two evils in an allegedly primitive political culture. Outside of Nicaragua, the counterrevolution remained synonymous with the ancien régime, with its characteristic pacts among oligarchic factions, an unholy alliance of what was left of Somoza's old political class and the remnants of his National Guard.

The Nicaraguan resistance had grown spectacularly, but had not been able to develop a respectable international image. What it needed most was a unified, intelligent leadership, capable of articulating its goals in the language of the 1980s, of linking the struggle of the city with that of the countryside, becoming a genuine democratic vanguard. Against this fact, an insurrection of 20,000 peasants, or of an entire people—the Miskito Indians—was of little import. The political leadership of the *contras*, as the Sandinistas saw it, would never be able to act as an echo chamber for what was, after all, a truly popular struggle. In the war against Somoza, a single shot fired in the streets of a tiny Nicaraguan town like La Libertad would be heard, so to speak, in Stockholm. Today news of entire set-piece battles barely reaches Key Biscayne.

The only thing the Sandinistas truly feared was the figure of Cardinal Obando y Bravo, and a probable alliance between the Church and the trade unions. The private business sector and the traditional political parties were of no account. On the contrary: their continued existence provided a useful facade of nominal pluralism.

The Sandinistas reasoned that if the revolution could survive 1986, it would become permanent. They needed to concentrate on two areas of comparative advantage: propaganda and war. In the economic realm, the only requirement was to survive at the level of sheer subsistence, and to generate (or buy with long-term credit from the Soviet Union) those resources essential to a war economy—fertilizers, medicine, and oil. Ironically, Sandinista propaganda owes much to Reagan's war and his ill-advised commercial blockade (since by now there is nothing to blockade). Both serve to justify an economy of scarcity, whose characteristic feature is the daily recitation of what items are unavailable.

Last year Congress gave the *contras* \$27 million in "humanitarian" aid. This year the White House will ask for more, and earmark large quantities for military equipment. But this time there will be no lightning visit of Daniel Ortega to Moscow. Instead, Ortega will go to Guatemala City, or to visit President Belisario Betancur Cuartas or President José Napoleón Duarte, where he will offer to respect the short-term interests of Guatemala or Colombia or El Salvador.

As Managua sees it, the important thing is to prevent Congress from appropriating the funds, and even more, to forestall the creation of a democratic vanguard of national resistance. Such a vanguard, properly understood, would not wait for magical solutions from on high, such as a landing of the U.S. Marines. Instead, on its own steam it will achieve something utterly unprecedented—the defeat of a Leninist vanguard already firmly installed in power.

IN SPITE of their arrogant rhetoric, the Sandinistas know that if intervention comes they will not be able to retire to the mountains of Segoria province, or the forests of the Atlantic coast, there to lead—as Tomás Borge has bravely offered to do—a hundred-year war of prolonged resistance. The inconvenient truth is that both regions already belong to the forces of the counterrevolution. The

only alternative in the event of an American invasion would be to fall back to the country's Pacific corridor, where the Popular Sandinista Army would be forced to fight a conventional war of fixed positions.

But the *comandantes* depend on what they call the "contradictions" of democratic societies, (meaning their virtues), and the nightmare of Vietnam, which continues to bedevil the American soul. These things restrain even so decisive an administration as Ronald Reagan's, which possesses a deep sense of its manifest destiny in the Caribbean. To push the United States over the brink would require the stupidest mistakes—something more than simply inviting in more Cuban and Bulgarian military advisers (since for some reason this has been judged, willy-nilly, as permissible). To provoke U.S. intervention, the Sandinistas would have to offer Nicaragua as a missile base for the Soviet Union, something that, in fact, Defense Minister Humberto Ortega has already threatened to do.

WE CAN be certain that such irrational measures do not figure in Managua's current plans, at least not during what it regards as the Reagan parenthesis in American history. The new leaders of revolutionary Nicaragua have shown a remarkable capacity to overcome the mechanical vision of "imperialist logic," which they originally learned from their yellowed Marxist texts. By now they are well acquainted with the deepest fears of the United States, the traumas left by McCarthyism, the Vietnam syndrome, and the institutional crisis created by Watergate. In their view the United States is a sick nation, lacking even a minimal consensus among its elites, corrupted by its material well-being, unwilling to make the slightest sacrifice for a larger goal, and paralyzed by a sense of shame over its historical record.

The Sandinistas also have inherited one of the most valuable legacies of the Somoza era: the technique of speaking to American audiences, appealing to their vanities, their illusions, their traumas, to a frame of mind that (in the present context) automatically disposes many Americans to grant greater credit to Fidel Castro than to their own elected president.

Two generations of Somozas and their "charming wives" knew how to delude the conservatives of yesterday, by explaining how difficult it would be to export democracy to the Nicaraguans ("who are not ready for it"). Today the *comandantes* and their wives know how to convince the writers of the PEN Congress that theirs is a "different kind of democracy," in which—because of Reagan's war against their country—they have no choice but to apply censorship, a minor sin, surely, when one is busy constructing a new society. And if the United States could only learn to live with Central American revolutions, inevitable in any case, they would not have to turn to the Soviet Union, etc., etc.

The Sandinistas also know, having spoken to hundreds of visiting North American and European delegations, that what counts most in the debate is the emotional issue of human rights. And here they stand on advantageous terrain, since they can compare their record to that of El Salvador or Guatemala (at least until the most recent elections), and declare themselves the winner.

It is certainly true that right-wing death squads have wreaked horror in El Salvador and Guatemala. There the repression has taken a feudal expression in which violence, to be effective, must not merely eliminate the enemy physically, but also teach a lesson to the rest of the rebellious peasant class. In Nicaragua the methods of repression have been different—and more effective. Wherever power is so heavily concentrated, it is possible for the disappearances to be more selective. And when it is necessary to resort to more generalized repression, as in the case of the Indian communities of the Atlantic coast, the act has been consummated under a veil of the strictest censorship.

The tragedy of the counterrevolution in Nicaragua is a lack of capable leadership—people able to explain the profoundly popular nature of its social bases. Too many of the leaders of the *contras* remain bogged down in the language and the ideas of the 1950s. The middle-level cadres are unable to speak the very special language necessary to communicate with American journalists. When these reporters ask the "average" *contra* why he is fighting, his response is too pedestrian and tacky to be truly revolutionary. It gives away his essentially "reactionary" nature, in much the same way as the religious medal around his neck. The unglamorous truth is that he is fighting for no other reason than to preserve his way of life, to protect his traditions from the voracious appetite of a Leninist vanguard determined to transform him—against his will—into a "new man."

The Sandinistas are confident that Congress will not support military aid at a time when the diplomatic game called Contadora appears to be undergoing one of its cyclical resuscitations. We seem to be returning to the pattern of the 1984 Nicaraguan elections—replete with a repetition of the Rio de Janeiro negotiations and a reopening of discussions with Indian leaders like Brooklyn Rivera. (As before, Rivera will be cast aside when the danger from the U.S. Congress has passed, Rivera himself forgotten by his American patrons, and his people bombed into submission by the Sandinista air force.) The Sandinistas believe this is a game that neither the Reagan administration nor the leaders of the *contras* possess sufficient agility to play.

The next two months will be the period of great tactical openings. Perhaps the *comandantes* are right: Leninism is invincible when the formalities of bourgeois politics are the name of the game.

ARTURO J. CRUZ JR.

Arturo J. Cruz Jr. is an adviser to his father, Arturo Cruz Sr., one of the leaders of the United Nicaraguan Opposition.



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FROM REV. JENELEE HODGSON
GENERAL COORDINATOR OF (SICC)

SICC
southern indigenous creole community
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Rev. Jenelee Hodgson,
General Coordinator

October 26, 1985
November 2, 1985

KISAN: A CHRONOLOGY OF HUMAN RIGHTS

On August 31, 1985, KISAN, Miskitu letters for "Kus Indian Sut Asia Nicaragua ra" (United Indigenous Peoples of Eastern Nicaragua), was formed as a coalition and resistance movement of the Miskitu, Sumu, Rama and Black (also known as English-speaking) Creoles of eastern Nicaragua, in their struggle against Marxist-Leninist penetration in Nicaragua.

KISAN, considered as the legitimate and only representative of the Miskitu, Sumu, Rama and Black Creoles of Nicaragua, is part of the historical process for the promotion of human rights and interests, that began many centuries ago. By the middle of the 19th century, an indigenous coalition governed the former Mosquito Reserve, the autonomous East Coast region of Nicaragua, which disappeared in 1894. Having lost their autonomy, the indigenous peoples organized themselves into a resistance movement called "Creole and Indian League" which lasted until late in the 20th century. In 1972 ALPROMISU was organized by Miskitu and Sumu leaders, motivated religiously to promote indigenous rights and interests. In 1975 Rev. Jenelee Hodgson

founded SICC, originally a cultural and ethnic awareness movement of the indigenous Black Creoles and the other peoples of the southern half of eastern Nicaragua. After July 1979, ALPROMISU was obligated by the Sandinistas to adopt the name of MISURASATA, which subsequently split into a number of fractions, which today are known as MISURA, MISURASATA (Brooklyn Rivera's fraction) and MISURASATA (Joaquin



Rev. Jenelee Hodgson Bobb
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Suazo's fraction). All these groups converged into ASLA (Unity), which, organized on June 16, 1985, was the precondition for KISAN, founded on Sept. 3, 1985, whose objectives are the modernizing of the indigenous freedom-fighting movement, strengthening of the fighters, the abolition of single-man rule, the consolidation and control of the indigenous territory, the integration of the ethnic nationalities committed to its main purpose, the liberation of Nicaragua for the establishment of a democratic, representative government. KISAN's organization was supported and is part of the United Nicaraguan Opposition (UNO), headed by Arturo Cruz, Eng. Alfonso Robelo and Adolfo Calero.

WIDE ACCEPTANCE OF KISAN

The idea of founding KISAN was well accepted by the indigenous peoples, causing among them a political awakening of major proportions. With the purpose of organizing themselves better for the overthrow of the Managua regime, 886 indigenous representatives of 230 communities, managed some way to avoid the Sandinista snipers, traveling thru the hot, humid tropical jungle to gather for 3 days at a liberated region of Nicaragua, near the Honduran border.

With the thrust given by KISAN, the people are integrating into the freedom-fighting movement as never before, and obtaining at the same time a political education, a sense of national identity, expressed in the words patria (fatherland), ciudadano (citizen) and nicaraguense (Nicaraguan). Intellectuals, blue-collar workers, students, housewives, and others are getting involved in SICC-KISAN, in the chapter established in the southern part of Nicaragua. With the establishment of a politic-cultural office in Costa Rica, SICC-KISAN membership has surged upward from 600 to 5,000. Goal change and self-transformation has paved the way for the integration of KISAN with the people. In the northern part of Nicaragua, KISAN is under the general coordination of Wycliffe Diego, who represents the Miskitu, Sumu and Rama peoples, and in the southern region the general coordinator is Rev. Jenelee Hodgson, in charge of the Black Creoles. Both of these leaders have

a seat in UNO, as the main representatives of the East Coast of Nicaragua, in the struggle for the freedom of Nicaragua.

A CONSTANT GROWTH

With the new goals of KISAN, clarifying and orienting the indigenous peoples, from families, bush and river villages, the call has come to young and old, to integrate the freedom-fighting movement of KISAN, who is coordinating the expectations of the peoples, conducting their activities in some 250 communities. A special task force of the Black Creoles of 145 members, with Ephraim Smith as its military leader, is at the service of the prosecution of the objectives and the utilization of the means to free Nicaragua from the Red Tyranny. Knowing that KISAN is not the final reality, but a means to an end, proselytizing has contributed to its ever-widening growth since August 31, 1985. Beginning with about 900 representatives, KISAN is becoming a giant with more than fifteen thousand freedom-fighters.

A SIGN OF POLITICAL MATURITY: THE CAPACITY TO GOVERN

All the organizations that preceded the founding of KISAN are an example of a growing interest in Western-style politics on the part of the indigenous peoples. All these changes are a sign of maturity, of the capacity to govern. Participation in the adoption of decisions, the elaboration and propagation of new ideologies, the means employed for the acceptance of these by the more than 230 communities, the capacity to convoke the 886 indigenous representatives, the channelling of welfare aid, are evidences of the ability of the leaders to govern politically. The leaders of KISAN have sketched, initiated and put into effect structural changes, such as the elimination of single-man rule. All changes are for the benefit of the freedom-fighting movement. A power elite has been established which has shown its ability to define situations and maintain definitions already admitted. Only in this way can KISAN work for indigenous unity which is part of national unity.

HOW CREOLES LOOK AT KISAN

The formation of the United Nicaraguan Opposition (UNO) and later of KISAN, as convergence and unifying movements, attracted particularly the conservative, traditional-minded Black Creoles, who closed around Rev. Jenelee Hodgson, because they do not believe in splinter groups. The autocratic politics of certain organizations repelled the Black Creoles from associating with them. Under the able and experienced leadership of Rev. Hodgson, whose interests and activities for the welfare of the total society of eastern Nicaragua, including the Miskitu,

Sumu and Rama peoples, is well known, her own Creole people have backed her up, integrating into all the committees established for the operations of KISAN-SICC. Rev. Hodgson's charisma is shown in the objective way in which she handles, reflects, and resolves the interests and problems of the specific ethnic groups and of particular individuals. The opening up of an information center on the part of SICC in Costa Rica, has attracted and developed a great amount of interest in KISAN-SICC. As a result many more Creoles have being grafted into the KISAN-SICC structure, which is the Creole arm of UNO.

DECLARATION OF CHARACTERISTICS OF THE ENGLISH-SPEAKING CREOLES OF THE SOUTHEAST COAST OF NICARAGUA



1. The English-speaking Creoles are part of the population of Nicaragua. This population is a product of Nicaragua's colonial history. The following figures are affected by the civil war in Nicaragua today. Out of a population of ca. 2,500,000 inhabitants, we have in order the following groups: Mestizo (90 percent); Miskitu (4.5 percent); Creole (3.5 percent); Sumu (0.4 percent); Garifuna (0.08 percent); Rama (0.04 percent) and the Chinese (0.04 percent). The Miskitu, Sumu, Rama and Garifuna represent the only peoples speaking indigenous languages. Biologically indigenous are the majority of the Sumu and many of the Rama; all others resulted from European colonial expansion in the Caribbean and Central America. Creoles prefer to live in urban areas, about 70 percent in 1982. They live mainly in the southeastern region of Nicaragua's Caribbean Coast. In general, they take from the land and from the sea only what they need for survival.

2. The Creole or Mixed population is a relatively large group and it presents a difficult problem of classification. The majority of them are a racial admixture

of indigenous with black, or indigenous with black and white, and indigenous with white.

3. The language they speak is considered as the English Creole language. It is the only place in Nicaragua where it is spoken. It has served as a lingua franca in the whole eastern region of the country. It has been influenced by German, Jamaican and New Orleans English. The natives have used it in oratory, journalism and book writing.

4. They with the Mestizo group, are the most educated of the ethnic peoples in the region, dominating the teaching profession, the legal profession, the medical profession and other areas.

5. Creoles are a result of English colonial expansion in the Caribbean Coast of

Central America. Their historical experience starts from as early as the 16th century. Creoles later obtained political power and social prestige administering and counselling the political entity known as the Mosquito Reserve, which ended in 1894, when Nicaragua's Mestizos assumed jurisdiction over the area.

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6. Creole culture was molded during the former centuries with contributions from the Indian, African and European cultures. What resulted has been very good. We feel that the only reason Creole peoples have been able to hold on and survive through decades of persecution and cultural deprivation is that the Creole way of life is and has been strong enough to hold the people together. We want to maintain for our posterity an identity and heritage that were given to us. We share a common bond which includes personal characteristics as sharing with others, a rising interest in the products of scientific invention, a belief that a certain supernatural power rules over us, the use of herbal medicine, a desire to remain Creole and to retain their culture and language. We are the only cultural entity in the Caribbean and Central America to dance the Maypole with our own songs; wherever we go our foods like rice-and-beans, run-down, stick-to-mi-ribs, wabul, criminal, banana cake, turtle and crab soup, accompany us. These are the things that make us Creole, giving us some cultural roots to cling on to.

7. Religion. We believe in Christianity and practice religious toleration. Catholics and Protestants live together, yet it is more important for us to be a Creole than to be identified as a member of any particular religious group.

8. Social. With their favored position, Creoles have adopted many patterns of European behavior. Family patterns, consumption patterns and recreational patterns tend to be European.

9. Economy. In the urban areas, Creoles make up the vast majority of the skilled and semi-skilled workers. Some also work in lumber mills, in plantation grounds, in the mining region, in fishing and some follow a traditional way of life, but all are affected by the international economic system.

10. Politics. Since the past century they have been heavily involved in politics, but as in the case of religion, they are interested in the common good and not in party politics. They believe in democracy, individualism, local self-government, local integration, "a commitment to the tactics of nonviolence" and coalition politics. Creoles reaffirm that the

Southern Indigenous Creole Communities organization (SICC), the subnational cultural liberation movement of the English-speaking Creoles of Nicaragua, is the sole and authentic representative of their people, inside and outside of Nicaragua and encourage all parties concerned to recognize the SICC organization as our representative and to establish with it appropriate relations and to supply as a matter of urgency, financial, material, and political support so as to enable our people to remove their own economic difficulties, which are largely a consequence of Nicaragua's present policies of aggression and subversion. SICC is working for the full development of Creole peoples.

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BLUE AND WHITE BOOK

DEDICATION

To those who have died for these ideals.
To those who are ready to die for them.
To those who will turn them into reality
the day of victory.

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PRAYER OF THE CHRISTIAN NICARAGUAN

FDN

GOD HOMELAND DEMOCRACY
INTRODUCTION

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Democracy should be understood as an evolving process, in the political, social, and economic orders, and not as a static condition, since the democratic system contains corrective factors and those of change in society, unlike communism, which is a "state of perfection" that Marxist dogmatism establishes as stationary and not subject to changes.

That explains why still within the most imperfect forms of democracy in the Western world, those societies progress toward more evolved forms of coexistence. Also, Spain has been developing its process of democratic evolution, in Europe, and in America, another has been the Dominican Republic.

And in those same periods, in what direction have regimes such as Czechoslovakia or Hungary, in Europe, or Cuba, in America, advanced? Is it possible that those Communist countries have gone backwards, in the indicators of economic and social development, when compared with their democratic neighbors of a similar size and resources?

From that perspective, the solution for underdeveloped countries is to accelerate the evolutionary democratic process, since almost none of them have reached even the first phases of the capitalist economic system, and they are societies more identified with economic feudalism than with democratic capitalism.

On the other hand, the failure of communism is the countries in which it has imposed its political regime has shown that the nationalizing of the means of production does not solve the problems of those societies and rather aggravates them due to the detriment that this system implies for the values of the individual. Historically, it is shown that Communist societies obtain a lower productivity of their citizens, a marked failure, in meeting their spiritual needs, a sectarian vision of universal culture, and a centralistic bureaucratic State that paralyzes the creative abilities of the human being.

So, the evolutionary process of countries should be directed at the perfecting of the democratic mechanisms that will insure the alternation in political power, social mobility and a fairer redistribution of wealth.

Other aspects of the integral development of man as a human being are implicit in such societies when these mechanisms are carried out. This means that the society of well-being in democracy is achieved as an effect of the putting

into practice of the mechanisms of the system, and not as the result of a decision "planned" by some powerful central "bureau."

THE BLUE AND WHITE BOOK contains a series of ideological thoughts that uphold the struggle of the NICARAGUAN DEMOCRATIC FORCE. And in a congruent manner with the pluralist and democratic nature of our movement, it is a compilation of the political objectives expressed in diverse ways by its bases, made up of thousands of Nicaraguans of different democratic ideologies and of all the socio-economic strata of the country.

This book is, then, an extensive but still incomplete treatise on democracy as a means of solution to the current difficult situation in Nicaragua. In it are contained the thoughts that constitute the mystical theology of our struggle, one of whose principles is, precisely, the right to think differently, which always leads to new points of view.

THE BLUE AND WHITE BOOK is also an instrument of political training. If the reader wishes to use it with that objective, a general reading of it initially is recommendable, in order to have a vision of the set of ideological thoughts of the FDN.

Four purposes of political study in groups, each one of the chapters can be analyzed and discussed separately. They are structured by specific theme, in such a way to facilitate their comprehension, for which purpose easy-to-remember phrases are included at the beginning of each chapter, summarizing the political thinking presented in it.

This type of presentation is also recommendable for the proselitist propagation of the concepts.

Ten chapters make up THE BLUE AND WHITE BOOK. The first of them points out the geopolitical aspects of Nicaragua and the identification with the Christian and Western culture. It also establishes an assessment of our nationality, its symbols, and its importance in the unity of Nicaraguans.

The second chapter presents the democratic and pluralist nature of our movement, its political and military composition, and a compendium is made of the motivations of the struggle, and recommendations on the conduct of the freedom commandos of the FDN, in an easily memorizable form.

The third chapter emphasizes the continental solidarity of the free peoples of America, both in the struggle against the dictatorship of Somoza as well as the Sandinista Marxist totalitarianism.

The fourth chapter makes a political assessment of the need for the reconciliation of the Nicaraguan family, through true political pluralism.

The fifth chapter presents the democratic system as the political solution to the problematic situation of Nicaragua, and suggests concrete objectives such as the formation of a Provisional Government, and the calling of free elections for a National Constituent Assembly, with the participation of the political parties and democratic sectors of Nicaragua.

The sixth chapter is dedicated to the themes of social justice, agrarian, revindication of the laboral conquest of the Nicaraguan workers, the redistributive functions of public spending and the need to stimulate the adoption of forms of participation of the workers in the benefits of the enterprises where they work, and the just opportunity of becoming co-owners.

The seventh chapter is dedicated to the theme of social justice, agrarian reform, replevy of the labor conquests of Nicaraguan workers, the redistributive role of public spending, and the need to foster the adoption of forms of participation of workers in the profits of companies in which they work, and the fair opportunity to become co-owners of the same.

The eighth chapter presents the ways in which the FDN proposes to put into effect Human Rights in Nicaragua and to restore the public freedoms trampled upon by Sandinista Marxism.

In the eighth chapter are presented the solutions that the FDN purposes to the economic disaster brought about by the Sandinista regime in Nicaragua. It espouses a democracy in which the economic desires of the population, through the mechanisms of the market economy, will turn the great minorities into consumers, the economic system culminating in a society of well-being.

In the ninth chapter human progress and social mobility are assessed as goals of a democratic society. The important role of the woman and of youth in the new society is established, as well as the permanent climate of social peace and human solidarity.

The tenth chapter is dedicated to reaching national and international peace in the area, through the solution of the internal Nicaragua problem, subsequent development of an adequate international policy, and the democratic restructuring of the armed forces in Nicaragua.

THE BLUE AND WHITE BOOK reflects the ideological democratic concepts stated by the bases of NICARAGUAN DEMOCRATIC FORCE, through study groups during several months in which we have combined the arduous struggle of combat with political training.

The commandos of the FDN are then, the authors of this book which, as was said initially, remains open to new points, the result of dialogue, study and discussion of the subjects, within that democratic re-revolutionary concept, where the change toward progress through the liberty of man constitutes our greatest strength.

We are Central Americans,
our past and
future are tied to America.
We are Christians,
and we love our homeland,
the blue and white flag,
and our national anthem.

Nicaragua is in the center of the Americas. The history of our people is tied to that of the other countries of the isthmus and the rest of the continent. In the same way, our political, economic, and social future is tied to the brother countries of America.

The Organization of American States (OAS) is an organization made up of the democratic countries of the continent, on the bases of mutual commitments in defense and international trade and culture. These countries contributed to the overthrow of the Somoza dictatorship, with resolution of the XVII Ministers' Meeting, which includes commitments to democratization that the Sandinista government has not kept.

Our nationality is Nicaraguan. All of us born in national territory and children of Nicaraguans born abroad are Nicaraguans. Our nationality is characterized by being for the most part Christian and identified with Western culture.

Above all, we are Nicaraguans and we should feel united by this tie that overcomes political, religious or racial differences. For Christian Nicaraguans hatred between brothers of the same nationality because of differences of class or racial origin is not acceptable. Therefore, we love and support our brother Miskitos, Sumos and Ramas.

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The symbols of the homeland deserve our respect, since they symbolize our nationality and cannot and should not be exchanged or replaced by others of a political nature:

The blue and white flag is the only one to which we owe respect and veneration.

Our National Anthem is the only one that we patriots accept as a national symbol.

The national heroes are those who forged our nationality: This is, a homeland for all without political differences, and they are: Miguel Larreynaga, Jose Dolores Estrada, and Andres Castro.

NATIONAL ANTHEM OF NICARAGUA

Hail to you, Nicaragua, on your soil
the voice of the cannon no longer rumbles,
nor is your glorious bicolored banner
stained with the blood of brothers.

Peace shines beautifully in your sky,
let no one cloud your immortal glory,
and work is your worthy laurel
and honor your triumphant insignia.

2 NICARAGUAN DEMOCRATIC FORCE

We are Nicaraguan
citizens of diverse
democratic ideologies,
united in a political
and military movement
dedicated to rescuing
Nicaragua from the
Soviet occupation.

The Nicaraguan Democratic Force, FDN, is a political and military movement essentially nationalistic, i.e., a defender of national sovereignty and which is struggling to rescue Nicaragua from the Sandinista Marxist totalitarianism imposed by the Soviet imperialism that has occupied our country, with an army of thousands of internationalists.

The FDN is a pluralist movement because it is made up of citizens of diverse democratic political ideologies and of all the socio-economic strata, which enables it to assume the organization of a new national government in Nicaragua.

The FDN is also a military movement because circumstantially it has found itself forced into armed struggle as the means to the political solution in Nicaragua. Our forces are made up almost in their totality of armed civilians: 80% peasants, workers, students, professionals, 19% ex-Sandinistas of an extraction similar to the above, and 1% former Nicaraguan soldiers.

Once the goal of rescuing Nicaragua from the Sandinista Marxist totalitarianism has been reached, the members of the FDN shall reintegrate in the productive process of the country, in their respective activities or professions.

The commandos will have the option of forming part of the Armed Forces democratically restructured, or of roles that will require some military preparation, such as police services, customs guard, coast guard, etc.

We all have the right to participate in national policy, whether within the existing parties or by forming new parties, as well as from labor associations or free professionals.

The FDN emerges because of the national need for a pluralist political platform, which was the initial plan of the Nicaraguan revolution, whose power was usurped by the Sandinista Front.

We advocate a new Nicaragua: WITHOUT SOMOCISM, WITHOUT SANDDINISM. And although neither of these factions constitute a political doctrine or ideology, and they come from every dissimilar leaders, in practice as a government, these minority groups have agreed in genocide, theft of the money of the people, moral corruption and betrayal of our nationality to foreign interest.

In the midst of these minorities that have polarized their struggle for sectarian interests, there are more than two million of us Nicaraguans not identified with any of those factions, and who are suitable for the NICARAGUAN DEMOCRATIC FORCE.

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3 CONTINENTAL SOLIDARITY

The free peoples
of the world support
the struggle of the
Nicaraguan people,
because it is the struggle
of justice against
injustice;
the struggle of
democrats against
Communists.

THE PEOPLE'S INSURRECTION OF THE PAST AND THE OVERTHROW OF THE SOMOZA DICTATORSHIP

The Nicaraguan people of all socio-economic strata and political ideologies rose up against the Somoza dictatorship, supported by several democratic peoples and governments of the world, including a Resolution of the XVII Consultation Meeting of the Ministers of the OAS, of June 23, 1979, which was based not only on the "immediate and definitive replacement of the Somoza regime," but also on the "installation of a democratic" and pluralist government in Nicaragua, the "guarantee of the respect for the human rights of all Nicaraguans without exception," and the "holding of free elections as soon as possible which will lead to the reestablishment of a truly democratic government that will guarantee peace, liberty and justice," as the resolution states.

Of the four bases pointed out, only the first was followed, and the other three, legitimate aspirations and rights of the Nicaraguan people, were rejected since the Sandinista Front usurped the political and military power in the new government.

The popular insurrection of the Nicaraguan people and the subsequent international democratic support was not in order to replace a dictatorship of the right with one of the left, more genocidal, corrupt and repressive than the right with one of the left, more genocidal, corrupt and repressive than the previous one. So the governments represented in the OAS have an unavoidable responsibility toward our people. The XVII Meeting of OAS Ministers is still open....

The democratic community of American countries and other peoples and governments of the world support the insurrectional struggle of our people against the Sandinista Marxist totalitarianism, backed by Soviet imperialism.

This continental solidarity, and even worldwide solidarity, is more and more evident as the Sandinista government shows itself to be a strategic piece in the Soviet intermediate and long term imperialist plan, to subdue the American continent, and it parts from the development of a pluralist democracy, respectful of the human rights of each and every Nicaraguan as was the original plan of the revolution.

4 FDN MEANS NATIONAL CONCILIATION

In the reconciliation of the Nicaraguan family are contained the democratic solutions to peace, to the economic recovery of the country and to social justice.

A decisive factor of the failure of the Sandinista revolution is based, precisely, on the fact that they have systematized hatred as a political and social practice, behavior that belongs to Leninist-Marxist regimes. Hatred of classes, political parties, and racial groups.

The hatred and desire for political revenge are sentiments that should be removed from the political future of Nicaragua. On the other hand, the Christian sentiments and those of social reconciliation will be the basis of the new Nicaragua. A united and integral society means a society without class hatred, nor hatreds of any kind.

Even more, democracy is based precisely on the representative nature and participation of the different political, social, and economic sectors of the community in the decisions that affect individuals and groups. Therefore, hatred and political revenge systematically turn out to be antidemocratic. National reconciliation is essentially democratic.

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We should advocate the reconciliation of all Nicaraguans as just one family, and the reintegration on the soil of our homeland and in the productive process of the country of those hundreds of thousands of political exiles, through an institutional and legal framework that favors national reconciliation.

In this way, it will also be possible for honest and democratic public servants in the service of the current regime to be able to keep their positions in the new government, the same as soldiers and policemen in active service and who have not committed crimes, and who possess a democratic vocation, to fit into the restructuring of the armed forces of Nicaragua, once the dark forces of Marxism have been beaten.

In short, all measures that lead to the reconciliation of Nicaraguans will help in the democratization of the country through true political pluralism.

5 FDN MEANS DEMOCRACY

Democracy is
the true power
of people to
elect and be elected.
And it only exists
when periodic elections,
free and universal,
are practiced.

Free and universal elections in a periodic manner constitute the democratic mechanism that guarantees the people the changes in public power, and they constitute the only political solution in Nicaragua.

With respect to the above, a Provisional Government Junta will be established, as well as a Government Cabinet, with the participation of all democratic parties and bright forces of the country, which will have among their responsibilities of priority, the creation of the conditions for the notice of the meeting and the development of a democratic process for elections of a National Constituent Assembly and of the Municipal Authorities throughout the country, to be carried out within a period no greater than a year after the Provisional Government has been installed.

The National Constituent Assembly, made up on representatives of the diverse political parties and forces of the nation freely elected, will come to be the highest body of the government, with the authority to name the authorities of the Executive Branch and the Judiciary for that same period, and to promulgate new Political Constitution and the laws that they consider appropriate.

The Executive Branch named by the National Constituent Assembly shall call for free and universal elections for new executive and legislative authorities of a new term of Government.

6 FDN MEANS SOCIAL JUSTICE

Social justice
is the goal of
any process
of democratization
in the free world,
because political
democracy is the basis
of economic
democracy.

Integral agrarian reform will grant to the Nicaraguan peasants definitive deeds, and not for use, as in the Communist agrarian reform. The democratic conception places the peasant as the subject and beneficiary of the agrarian reform, offering him the opportunity to work on his own land, whether in an individual manner or in cooperatives or another form of free and voluntary association, operated by their members with the technical, economic, and cultural assistance of the State.

The national lands and large land holdings or private farms that are not sufficiently exploited will be used in the agrarian reform plans.

In democratic societies, the worker has wide work options, unlike Communist society where just one boss exists, the State, who determines the level of the social benefits of its workers.

In Nicaragua, the new Provisional Government will call for the labor rights that the Nicaraguan workers had won, such as payment for overtime, a thirteenth month free, etc. and those obtained through private collective bargaining.

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PARTICIPATION OF THE WORKERS: The adoption of forms of worker participation in the profits of the companies in which they work will be encouraged, as well as the fair opportunity to become a co-owner of the same, on the basis of a harmonic understanding between capital and labor.

RESTRUCTURING OF THE TAX SYSTEM: Taxing, both nationally and locally, will be reasonable and fair, so that the public taxes will be in relation to income. The tax on real estate and moveable property should be progressive, so that those who have more pay more. There will be a deduction for real estate that is the home, as well as for persons with physical handicaps and others who deserve special consideration.

7 FDN MEANS ENFORCEMENT OF
HUMAN RIGHTS

Above all, man,
and the respect for
human rights,
because where
man is not respected
as an individual being
man is not respected
either
as a social being.

We will respect and guarantee the observance of the Human Rights consecrated in the Universal Declaration and of Human Rights of the United Nations and in the American Declaration of Duties and Rights, of the Organization of American States. Specifically, the exercise of the freedoms of expression and propagation of spoken and written thought, of assembly, of association, of conscience, and of worship, of culture and of minorities will be guaranteed.

The abuses that are committed in the exercise of said freedoms will be punished in accordance with the laws.

Because in principle they are contrary to the Universal Declaration of Human Rights, of the United Nations, and the general principles of the law, the confiscations carried out by the Communist government of Nicaragua will be considered without effect and the creation of an Ex-officio Court will be created, for the return of the goods affected to their respective owners, whenever they show their legal and honest

acquisition. The property that in the public interest cannot be returned will be indemnified by the State.

Without any distinctions, absolute civil and political equality of all Nicaraguans will be guaranteed, and the exercise of all authority will be regulated by constitutional or legal norms.

The education of children and of youth in their integral training, i.e., technical and cultural, constitutes a right of the Nicaraguan people, and an unavoidable responsibility of the State, which shall offer it in a free and obligatory form.

However, it will be a right and a duty of the parents of students to decide on the type of education that they desire for their children and to contribute to their religious and cultural education. The educational action of the State in this field should be limited to offering at no cost a wide number of educational option to parents.

The most extensive and absolute freedom of worship and the immediate return of the temples seized will be guaranteed.

Free unionization of workers will be guaranteed and stimulated as the most appropriate means for the attainment of economic and social improvements of the same, and it is recognized as a means of contributing to the democratic system through dialogue and negotiation. The democratic labor union is recognized as an effective instrument of protection. The basic rights of workers will be written down in constitutional norms, especially union freedom and collective bargaining.

Trust and safety will be returned to the indigenous communities, by promulgating legislation that fully guarantees their rights; at the same time, the necessary programs will be prepared and developed for the achievements of their social, cultural, economic and political development. In addition, the mechanisms that will allow them to receive and spend government funds for the solution of their problems, in accordance with resolutions taken by their own authorities, will be created.

The Judiciary will be autonomous: This branch will be strictly professional and its members will not be militant politicians. The judicial career will be established and its independence guaranteed.

The administrative corruption characteristic of dictatorships of the left and of the right will be abolished. Civil Service will be the basis of operation of the public administration, which should be aimed at the attainment of the

common good to the maximum degree, and governed by strict standards of honesty and efficiency.

The public Administration will be renewed in accordance with social changes and decentralized, keeping the unity of government action and the necessary constitutional coordination.

The Office of the Comptroller General of the Republic will investigate, judge and punish the misdeeds or crimes committed by public officials, and an Administrative Court for Contentions will be created, which will define the responsibilities of the case in the first instance.

8 FDN MEANS THE SOLUTION TO THE ECONOMIC DISASTER

Any policy for
the improvement
and recovery of the
national economy
should be based on the
economic
strengthening
of each
Nicaraguan
as individuals.

Free enterprise and private property will be basic fundamentals of the national economic system. However, private property should fulfill a social role, and therefore, its possession and administration shall be subject to the norms demanded by the maintenance and progress of the social order, and can also be aimed at goals of public utility or of social interest through the just indemnification for the respective owner.

It will be the responsibility of the State to coordinate and orient the economic activities in order to achieve the best and most rational use of the human and material resources of the country, to the benefit of all the Nicaraguan people.

Austerity policies for public spending will be implemented in a special way in those sectors that do not affect investment in the social sector (education, health, etc.) and simultaneously incentive policies for production will be developed, for their increase and diversification, mainly with respect to exports.

Investment projects will be fostered and guaranteed, so that they will contribute financially and technologically to the development of the country and to the diversification of its production.

The State will protect and foster activities pertaining to farming and animal husbandry.

All kinds of monopolistic exploitation of private interest will be prohibited.

The resources, systems of production and basic services of the economic structure should be preferentially of Nicaraguan ownership.

The democratization of the entrepreneurial system will be fostered through the participation of the small investor on the basis of the maximum utilization of our national raw materials; the basic industries will be fostered and those of transformation will be favored, all of that in relation to the benefit that they can represent for the economy of the country.

9 FDN MEANS SOCIAL PROGRESS

Private initiative
is not the privilege
of minorities.
In a democratic
society, private
initiative is the privilege
that make it possible
for the man of the majorities
to emerge.

The respect for, promotion and recognition of human dignity as a sublime manifestation of Divinity will constitute the fundamental bases of the action by the State, so that it will promote in all forms the dignifying, integral training and technical, cultural and spiritual training of man.

The family, as the primary nucleus of society, will deserve the protection and legal, economic, moral, and cultural assistance of the State. Therefore, programs referring to the well-being of the family, infants, youth, and the elderly will be studied and put into practice. The family will be strengthened and will not be replaced in its roles by any organization.

The families that have been victims of the struggle for the liberation of Nicaragua will enjoy the protection of the State, through the laws that will be issued in that area.

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The political and civil rights of women will be defended and promoted, their participation in the fields that they have traditionally not occupied will be stimulated, their technical and professional training will be intensified, special legislation will be promoted for the professional risks that are peculiar to women, and violations against the dignity of the woman, child and adolescent will be punished severely.

A policy will be developed that will turn the youth into a motor of the public administration, tying them especially to the social programs, such as those referring to housing, education, health, protection, the environment, and in addition, they will be integrated in the productive process of the country. Youth recreation, programs, as well as the technical and professional preparation of youth, will have preference.

The organization and operation of cooperatives will be promoted and stimulated, as a dynamic and indispensable instrument of economic and social improvement.

Preferential attention will be given to the solution of the problems of urban and rural housing, especially through the incentive for investment in these areas and incentives for the self-effort and mutual assistance programs, and a preferred place should be given to the studies of the design and construction of rural housing, in relation to the optimum utilization of the materials and procedures of local work, in accordance with the climatological conditions of each zone. Standards aimed especially at favoring the families of limited income will be issued, so that they will have worthy housing.

State action will be aimed at obtaining the greatest degree of benefit for the large majorities of the Nicaraguan people. To that end, the state resources will be analyzed and managed so that they reach those who need them the most.

A permanent climate of social peace and human solidarity will be fostered based on a substantial increase in national wealth and its fairest redistribution, as the result of policies that will combat the poverty, ignorance, the lack of health, defending in that way the physical, mental and spiritual health of all Nicaraguans without exception.

10 FDN IS THE WAY TO PEACE

Peace can only
be achieved through pluralist
and participative democracy for all
Nicaraguans.
and with long-term objectives
congruent with our
geopolitical location.

An effort will be made to establish and maintain friendly
relations with all those peace-loving democratic countries in
the world, and all forms of intervention in the internal or
external affairs of other states will be repudiated.

A struggle will be carried out in order to recover the
international prestige of Nicaragua, profoundly eroded due to
the irresponsible behavior of the current and previous
governments, in addition adhering to the principles and norms
of international law, particularly those which promote peace,
the peaceful solution of conflicts and/ harmonious coexistence
of all peoples on the basis of maximum utilization of our
national raw materials; the basic industries will be fostered
and those of transformation will be favored, all of that in
relation to the benefit that they can represent for the economy
of the country.

The Armed Forces will consist of the Army, Air Force, Navy
and National Police, with their respective commands coordinated
at the Cabinet level and subject in the final run to the
civilian authorities who establish them. Although their
members will not be able to exercise political activities
personally or collectively while they are in those positions,
they should be instructed and motivated to defend adequately
the democratic, humanist and Christian values of national life.

The number of the Armed Forces will be limited
proportionally to the resources and needs of the country.

The armed Forces will not be an institution dedicated
exclusively to maintaining the security, order and defense of
the national territory but rather will be a permanent school
that allows its members a better knowledge of community
problems and the way to contribute to their solution; for the
better achievement of these goals, the members of the Armed
Forces will be prepared in the professions and liberal arts.

Cooperation will be given in the strengthening of the
Inter-American system for the defense and promotion of
freedoms, human values, the democratic system and business
freedom.

In the area of foreign trade, an effort will be made to deal with all countries whenever that is a benefit for the economy of our nation. An effort will be made to obtain fair prices for the exportable Nicaraguan products, and support will be given to all the standards of justice in trade relations.

The relations with the different churches will be preserved and expanded based on the idea that the majority of the Nicaragua an people possess deeply religious sentiments in diverse creeds, and it should be in the State's interest to intensify such spiritual values of our people.

PRAYER OF THE NICARAGUAN CHRISTIAN

Almighty God, hear our pleas
and help the Nicaraguan people, today
dispersed around the world. We ask
you for the strength of Shepherds
for our Bishops and Priests.

To those of us who live under
Sandinista-Marxist slavery, give us
strength to bear the yoke; protect
us from greater ills, and give us
the strength to defeat our enemies
in faith.

We ask you for our children and
youth: open their minds and their hearts
to Love among all of our people, and
close them to hatred between brothers.

To those who Live in exile, keep
alive their love of the homeland.
Help them to be useful in the communities
that they now share, and give them
Strength to save Nicaragua
in the Christian faith.

We ask you for those fallen in combat. Lord, allow them
all to contemplate the light of your face.

Holy trinity, God, we offer you our pain and our effort.
The day in which, united in our country, we will be able to
again receive the Vicar of Christ, to love him, to make amends
with him and repair all the insults of a Communist and
atheistic minority is approaching; and so, to revindicate the
name of our people in the Heavens.

Almighty God, we promise you to every day carry out an action that will lead to the recovery of Nicaragua, which we entrust to your Son, proclaiming Christ as our Liberator.

Grant us the freedom to praise you fully, united in our land all those of us who profess our faith.

We ask it to you in the name of the Father, the Son and the Holy Ghost. Amen.

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Introduction

Taking into account its primary importance and that our organization has human rights as a fundamental pillar of its political philosophy, we consider in our best interests the publication Combatant's Manual, which contains in graphic and simple form, the basic rules of human rights in war.

We entered in direct contact with the International Red Cross Committee with the goal of adhering unconditionally and unilaterally to the four Geneva Conventions of 1949 and attached protocols. In this form we reaffirm our humanitarian spirit and firm decision to to apply it even with an enemy lacking all moral principal.

We recommend that the Liberty Commandos and the rest of the members of the FDN study and give all of their attention to the contents of this manual.

COMBATANT:

At all times, respect the rules given in this manual.

CIVILIAN POPULATIONS

Your combatant's honor requires that you never attack nor mistreat women, children, the elderly, or unarmed persons.

(No title)

All acts of violence against wounded or sick civilians, against invalids or the elderly...

(No title)

...and every act of violence against children or against mothers is a criminal act, dishonorable and cowardly, punishable with severe disciplinary sanctions.

(No title)

Civilian suspects that have been detained must be entered in the record of prisoners, that which is used to notify delegates of the Red Cross, the day of their visit to the place of detention.

RESPECT CIVILIANS--they don't participate in combat.

ARMED FORCES

A wounded or sick person is out of combat.
You must give him aid, and attend to him under all circumstances, as you would want them to protect you.

(No title)

Don't kill, wound, or mistreat enemies that put down their arms and surrender. Remember that an unarmed enemy can no longer fight: treat him humanely.

(No title)

The enemies that surrender will be captured and taken without delay to the garrison, headquarters, or nearest military detachment. Their names will be entered in the list of prisoners.

(No title)

Physical or mental torture is prohibited.
Attention: only a legitimately appointed tribunal can dictate and order judgement or condemnation of a captured enemy.

TREAT PRISONERS WITH HUMANITY--they have the right to be attended when wounded or sick.

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TREAT PRISONERS CORRECTLY--they have the right to personal respect and honor.

HAND OVER CAPTURED ENEMIES TO YOUR SUPERIOR--they no longer participate in the hostilities.

ATTEND TO THE WOUNDED ENEMIES--they are out of combat, and no longer participate in hostilities.

CICR (The International Red Cross)

In almost all countries where there is armed conflict and internal unrest, the Red Cross delegates visit those who have been captured and prisoners, and talk to them without witnesses present. The representatives wear an insignia with a red cross and an inscription: "Comite International Geneve." They never take part in any conflict, their labor consists only of evaluating and improving the conditions of detention.

SPECIALLY PROTECTED PERSONS

Doctors, nurses, and other members of medical and religious staffs that lend their services in the hospitals and to the Red Cross. These people will be specially protected because they may help, assist, and comfort all victims without distinction between friends and foe. These people wear as a distinctive sign, the red cross over a white background.

These Red Cross volunteers are moving wounded or sick soldiers.

These Red Cross volunteers are distributing food and medicine among civilian victims.

Don't attack hospitals, nor sections of the Red Cross. Do not enter these buildings nor ambulances armed.

LET THE RED CROSS REPRESENTATIVES DO THEIR WORK--they help the people that need it.

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ALLOW SANITARY PERSONNEL TO DO THEIR WORK--they attend the wounded and the sick.

What is the International Red Cross (CICR)?

The CICR was founded more than a century ago. It is a neutral, impartial institution whose objective is to alleviate the misery and suffering that come from fighting between men.

REMEMBER

You must protect a wounded or sick enemy, disarmed or captured, as you would like him to protect you. Perhaps one day you will be wounded, sick, or disarmed and captured...

Edited:

CENTER OF COMMUNICATIONS

NICARAGUAN DEMOCRATIC FORCE

CODE OF CONDUCT

FDN



National Directorate

Fuerza Democratica Nicaraguense LX

[Nicaraguan Democratic Force]

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Prologue

Ever since the Fuerza Democratica Nicaraguense began its struggle against Sandinista tyranny it has been developing, little by little, its Code of Conduct, which is now being published in an organized form.

In The Blue and White Book, published in 1982, the FDN Directorate began to set forth guidelines for conduct for all civilian and military members of the Movement.

In August 1984 the first FDN Code of Conduct was issued and we have been working with it since that time. Over time and through constant use, some defects were discovered in that first Code which have been corrected with much patience and good will until at last the present Code was developed.

We believe that every member of the FDN has the obligation to conduct himself as a gentleman under arms. Torturing enemy prisoners is unsuitable behavior for a freedom fighter, as is humiliation of defeated combatants.

Every member of the FDN clearly understands that we, the Nicaraguan people, are fighting a civil war forced upon us by a Marxist-Leninist system that enslaves the individual, rejects God, and imposes war, tyranny, State monopoly, the elimination of social classes, cannibalism among its members, and spiritual infanticide.

The Code of Conduct, which was prepared by distinguished jurists headed by Attorney Carlos Rodolfo Icaza Espinosa, an active member of the FDN, faithfully reflects the Nicaraguan people's ideals of justice. It is based on the Geneva Conventions of August 12, 1949, and their additional protocols, as they apply to the situation constantly evolving in Nicaragua.

In our struggle we must recognize past mistakes and their consequences. Every soldier has the duty to obey orders, but FDN members must also obey orders out of their love for and awareness of the Nicaraguan people's struggle in which we are so deeply involved.

This Code of Conduct should not only be carried in every freedom fighter's pack, but should also become an essential part of his feelings and thoughts so that he will be a living example of the objectives of our struggle and the ideals that inspire us.

FDN National Directorate

Published by the Communications Center of the
Nicaraguan Democratic Force

Chapter 1

Offenses

Article 1 Any action or omission for which a description and a punishment are given herein shall constitute an offense.

Article 2 Certain offenses that violate the general principles of humanitarian law of war shall be considered serious offenses and, in such cases, the penalty shall be increased to double that established for other offenses.

Article 3 The following persons shall be governed by this Code:

- a. Members of the Fuerza Democratica Nicaraguense (FDN) armed forces;
- b. Persons who work with the FDN;
- c. Soldiers or fighters from the armed forces in conflict with the FDN who commit offenses in territories held by the FDN and under its direct jurisdiction and competence;
- d. Civilians who commit offenses in territories held by the FDN and under its jurisdiction and competence.

Article 4 Conspiracy and the intent to commit an offense shall be punishable in accordance with this Code.

- (a) Conspiracy exists whenever two or more persons act in concert to commit an offense.
- (b) Intent exists whenever a person who has decided to commit an offense proposes to one or more persons that they carry it out.

Chapter 2

Circumstances That Alter Criminal Liability

Extenuating Circumstances

Article 5 Extenuating circumstances exist when:

- (a) The action was committed in a state of temporary insanity or in the heat of battle;
- (b) The defendant voluntarily turns himself in to his commander or to the competent authority when he could have fled or used some other means to evade justice.

Aggravating Circumstances

Article 6 Aggravating circumstances exist when:

(a) The offense was committed through treachery. Treachery is present when the guilty party commits any of the offenses set forth in this Code using means or methods that are directly and especially intended to ensure that he suffers no personal risk and to leave the victim with no type of defense for his person, his physical or moral integrity, or his property.

(b) The author of the offense acts with obvious premeditation.

(c) The offense is committed with the help of other persons.

(d) The offense is committed in a deserted place or under cover of night.

(e) The offense is committed by a gang. A "gang" consists of four or more persons working together.

(f) The injured party and the offender are related by marriage.

(g) The offender has committed the same offense before.

Chapter 3

Classification of Offenders

Article 7 Liability for an offense is borne by the perpetrator, the accomplice, and the accessory.

Article 8 A perpetrator is anyone who takes a direct part in the commission of an offense or who induces a third party to do so by making use of his authority or ignorance on the part of the actual perpetrator.

Article 9 An accomplice is anyone who cooperates in the commission of an offense by means of acts performed prior to or simultaneously with the offense.

Article 10 An accessory is anyone who, knowing about an offense that has been committed, does not report it to the competent authorities, assists the perpetrator or accomplices in escaping, or conceals them so that they can evade justice.

Chapter 4

Punishment

Article 11 The following have been established as punishments:

- (a) Dishonorable expulsion from the Movement;
- (b) Imprisonment with the obligation to work for the FDN until the sentence has been served.
- (c) Restriction of liberty.
- (d) In no case shall the death penalty be authorized.

Article 12 The punishment for accomplices shall be that imposed on a perpetrator, reduced by one-third.

Article 13 The punishment for accessories shall be that imposed on an accomplice, reduced by one-third.

Chapter 5

Basic Standards of Behavior for FDN Personnel

Article 14 The basic standards of humanitarian law of war to be scrupulously observed by FDN personnel are listed below.

1. FDN combatants shall conduct their military operations in such a way that the innocent civilian population is always protected. The FDN shall warn them regarding possible danger from the use by the enemy of aerial devices and long-range weapons. Failure to observe this provision shall be punished with restriction of liberty for six weeks.

2. Persons not involved in combat and those taking no active part in the hostilities are entitled to respect for their lives and their physical and moral integrity. Such persons shall, in all circumstances, be protected and treated humanely with no adverse distinction whatsoever. Failure to observe this provision shall be punished with restriction of liberty for a period of up to six months and the penalty corresponding to any offense committed shall be doubled.

3. The killing or wounding of an adversary who has surrendered or is disabled is prohibited. The punishment for such an offense shall be double the penalty corresponding to any offense committed.

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4. FDN members in whose hands they [sic] may be shall collect and provide assistance to the sick and wounded. They shall also protect medical personnel, establishments, means of transport, and medical supplies. The emblem of the Red Cross is the sign of such protection and shall be respected. Failure to observe this provision shall be punished with restriction of liberty for eight weeks and the penalty corresponding to any offense committed shall be doubled.

5. Captured combatants and civilians in the hands of the FDN are entitled to respect for their life, their dignity, their personal rights and their beliefs. They shall be protected against all acts of violence or reprisal. They are entitled to exchange correspondence with members of their families and to receive humanitarian aid. The foregoing shall take place without prejudice to the combat activities being conducted and without diminishing the security of the troops themselves. Failure to observe this provision shall be punished with restriction of liberty for six to eight weeks, without prejudice to a doubling of the penalty corresponding to any offense committed.

6. Anyone may benefit from the basic judicial guarantees. No one shall be held responsible for an act he did not commit nor shall anyone be subjected to physical or mental torture, corporal punishment, or cruel and degrading treatment. Failure to observe this provision shall be punished with restriction of liberty for eight weeks and the penalty corresponding to any offense committed shall be doubled.

7. The use of weapons or methods of war that may cause unnecessary losses or excessive suffering is prohibited. Failure to observe this provision shall be punished with restriction of liberty for six weeks and the penalty corresponding to any offense committed shall be doubled.

8. FDN members shall make a distinction at all times between the civilian population and combatants and shall protect the population and civilian property. Neither the civilian population as such nor individual civilians shall be the object of attacks. Attacks shall be directed against military targets. Failure to observe this provision shall be punished with restriction of liberty for six weeks and the penalty corresponding to any offense committed shall be doubled.

9. Journalists on dangerous professional assignments in the areas of armed conflict shall be considered civilians and protected as such. They may obtain an ID card identifying them as journalists and FDN members shall be obligated to look after them and help them to the extent possible, without impairing the security of the troops. In all cases,

journalists shall be authorized by FDN authorities [sentence added by hand]. Failure to observe this provision shall be punished with restriction of liberty for eight weeks.

Chapter 6

Serious Offenses

Article 15 Any of the following acts are considered serious offenses:

(1) Intentional homicide, torture, and inhuman treatment, including biological experiments.

(2) Willfully causing great suffering or impairing physical integrity or health and all deliberate omissions that seriously endanger the physical or mental integrity of a person in the hands of FDN personnel.

(3) Deportation or illegal transfers of persons not in the FDN forces and all types of illegal detention.

(4) Forcing protected persons to serve in the FDN Armed Forces or depriving them of their right to a regular and impartial trial in accordance with this Code.

(5) The taking of hostages, unjustified destruction and appropriation of property for military needs carried out, largely, in an illegal and arbitrary way.

(6) The following willful acts when they result in death or seriously damage physical integrity or health:

(a) Attacks on the civilian population, on civilians, and on civilian property.

(b) Indiscriminate attacks and attacks against structures and installations containing dangerous forces in the knowledge that the attack will cause excessive loss of life, wounding of civilians, and damage to civilian property in relation to the specific and direct military advantage anticipated.

(c) Attacks on undefended sites and demilitarized zones, if any.

(d) Attacks on clearly disabled persons and deceitful use of the Red Cross emblem or other recognized protective symbols.

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(7) The following are also serious offenses under this Code: any transfer by the FDN of part of the civilian population under its protection to uncontrolled territory; deportation or transfer of all or part of the population in such territory not intended to provide them with immediate protection; and any unjustified delay in turning over prisoners of war or civilians who have been detained.

(8) Attacks on clearly recognizable cultural property not being used by the enemy for belligerent purposes ["not ... purposes" added to Spanish text by hand].

Chapter 7

Treatment of Enemy Wounded and Sick

Article 16 Enemy wounded and sick shall be respected and protected in all circumstances. No attempt shall be made on their lives and no harm whatsoever shall be done to them; on the contrary, all possible efforts shall be made to assist and collect them. Failure to observe this provision shall be punished with restriction of liberty for six weeks, and the penalty corresponding to any offense committed shall be doubled.

Article 17 Whenever FDN members capture wounded, sick, or shipwrecked prisoners from the opposing forces, they shall give them the same care as their own wounded. Failure to observe this provision shall be punished by restriction of liberty for six to eight weeks and the penalty corresponding to any offense committed shall be doubled.

Article 18 FDN members shall collect the dead and prevent their being despoiled. Failure to observe this provision shall be punished by restriction of liberty for six weeks, unless the circumstances of combat make it impossible to comply with this article.

Article 19 In the interest of the wounded and sick, FDN members shall also respect and protect everything related to their care, i.e. medical personnel, establishments, vehicles, and material belonging to the military health service, the FDN Red Cross, the Nicaraguan Red Cross, the International Committee of the Red Cross, or other exclusively charitable organizations that identify themselves by displaying the symbol of a red cross on a white background. Failure to observe this provision shall be punished by imprisonment for six weeks.

Article 20 For the purposes of the preceding article, the following are considered medical personnel and clergy:

(a) Persons especially entrusted with the care and transport of the wounded and sick and with the prevention of disease. This includes doctors, nurses, stretcher-bearers, etc.;

(b) Administrative personnel at medical establishments and units;

(c) Chaplains.

These persons shall display an armband bearing a red cross and shall carry an ID card. They may be armed for purposes of their own defense and that of the wounded.

Article 21 If medical personnel or clergy fall into the hands of the FDN, they shall be allowed to continue their duties among the wounded and sick. The personnel retained shall not be considered prisoners of war and shall enjoy facilities important for carrying out their humanitarian mission, all at the discretion of the appropriate commander.

Article 22 Civilians shall not be prevented from collecting and caring for the wounded and sick, whoever they are, nor shall they be harmed for doing so. On the contrary, they shall be assisted in their task.

Article 23 All buildings or fixed installations (hospitals) and mobile items (ambulances, tents, or outside installations) used exclusively for collecting and caring for the wounded and sick shall be considered medical establishments and units. They shall never be attacked or damaged and their operation shall never be obstructed even though, at the time, they contain no wounded or sick. Nevertheless, the protection provided for medical units may cease when they are used to carry out acts prejudicial to FDN troops such as providing accommodations for healthy soldiers or installing military observation posts.

Article 24 Medical material, which includes stretchers, medical and surgical instruments, medicines, treatments, bandages, and dressings, shall never be destroyed but shall be made available to any medical personnel who may be present.

Article 25 The "wounded" and "sick" are persons, either military or civilian, who need medical care and who refrain from acts of hostility.

Article 26 The FDN is particularly concerned with the right of families to learn the fate of family members. For that reason, and to the extent possible, after an engagement all measures possible shall be taken without delay to search

for and collect the wounded and sick, to protect them against pillage and ill-treatment, and provide the necessary care, and to search for the dead and prevent their being despoiled or mutilated.

FDN personnel shall ensure that the burial or cremation of the dead, carried out individually as far as circumstances permit, is preceded by a careful and if possible medical examination of the bodies with a view to ascertaining the cause of death and establishing identity. Failure to observe this provision shall be punished with restriction of liberty for eight weeks and the penalty corresponding to any offense committed shall be doubled.

Article 27 Mutilation and desecration of the bodies of enemy forces is an offense. To the extent possible a Christian burial shall be given to enemy personnel killed in combat. Proper identification shall be taken from the dead and a record made of the place where they were buried. This information shall be provided to the authorities appointed by the FDN high command, which in turn shall transmit it to the authorities of the International Committee of the Red Cross, which shall be given the names and, if security conditions permit, informed of the place where the bodies were interred. Failure to observe this provision shall be punished with restriction of liberty for six weeks and the penalty corresponding to any offense committed shall be doubled.

Article 28 The commanders of the various FDN task forces shall furnish to the appropriate Regional Command suitable identification of the wounded, sick, and dead in their hands, including, if possible, the registration or ID number, full name, date of birth, date and place of capture or other action to which the person was subjected, and an indication of his condition. As soon as possible the information shall be transmitted to the Strategic Command so that the International Committee of the Red Cross can be informed through the Central Search Agency. Failure to observe this provision shall be punished with restriction of liberty for six weeks and the penalty corresponding to any offense committed shall be doubled.

Chapter 8

The Protection and Treatment of Prisoners of War

Article 29 A combatant is any FDN member or soldier or any member of the enemy armed forces, the latter including:

(a) Members of the Ejercito Popular Sandinista
[Sandinista People's Army].

(b) Members of the special troops of the Sandinista Directorate of State Security.

(c) Members of the Directorate of the Sandinista State.

(d) Sandinista militia.

(e) Persons recruited by the Sandinista Patriotic Military Service.

(f) Members of the military or paramilitary organizations of the Sandinista Front.

(g) Troops guarding the borders.

(h) Members of the Sandinista Air Force.

(i) Members of the Naval Forces or other Sandinista military organizations.

(j) Civilians armed by the Sandinista Front.

(k) Members of cooperatives or associations armed by the Sandinista Front.

(l) Persons engaged in information-gathering, intelligence, and counterintelligence activities for the Sandinista Front and the occupation troops in Nicaragua.

(m) Persons who employ weapons in belligerent activities against FDN combatants.

(n) Internationalists who participate in the armed conflict.

Article 30 In order to be considered combatants and to be protected as prisoners of war, the persons listed in the preceding article shall meet at least the following requirements:

(a) Have an officer in command responsible for the conduct of his subordinates.

(b) Display a fixed distinctive sign visible at a distance or wear a military uniform when participating in an attack or in a military operation prior to an attack.

(c) Carry the assigned regulation weapons openly.

(d) Conform to the laws and customs of war

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Article 31 All persons not listed previously shall be considered civilians under the protection of the FDN, and their physical integrity and property shall enjoy absolute respect. Failure to observe this provision shall be punished with restriction of liberty for four weeks and the penalty corresponding to any offense committed shall be doubled.

Article 32 As a general rule, all persons who take part in the hostilities and fall into the hands of the FDN troops shall be considered prisoners of war and shall be treated as such, even if there is some doubt regarding their status. Failure to observe this provision shall be punished with restriction of liberty for four weeks and the penalty corresponding to any offense committed shall be doubled.

Article 33 Prisoners of war have the following rights:

(a) They are prisoners of the FDN and not of the individuals or units who have captured them.

(b) They have the right in all circumstances to respect for their person and their honor.

(c) Female prisoners of war shall be treated with all the regard due to their sex and shall receive treatment at least as favorable as that received by men.

(d) Prisoners of war in the hands of the FDN shall retain the full civil capacity which they enjoyed at the time of their capture. They shall therefore have the right to keep personal effects and objects, and may keep any of the military equipment used by them prior to their capture that can be used for clothing or feeding. Sums of money and articles of value carried by them may not be taken from them unless they are first given a receipt. Such money and articles of value shall be returned to them at the end of their captivity.

(e) Prisoners of war shall not be unnecessarily exposed to danger while awaiting evacuation from a combat zone.

(f) Whenever prisoners are captured in unusual combat conditions that prevent their evacuation as planned, they shall be released and all possible precautions shall be adopted to guarantee their security. In such cases, prisoners of war shall be released on parole or promise and they shall be bound on their honor scrupulously to fulfill the commitments they have made both with the force to which they belong and on which they depend and with the task force or FDN regional command in whose hands they find themselves.

This provision is established as proof that loyalty is essential for successful application of the humane standards to which the FDN has voluntarily and unilaterally adhered.

(g) No prisoner of war may be sent to places in which he may come under fire from the combat zones, nor may he be detained there, nor may his presence be used to shield certain points or regions from military operations.

Failure to observe any of the preceding paragraphs shall be punished with restriction of liberty for four to twelve weeks and the penalty corresponding to any offense committed shall be doubled.

Article 34 Prisoners of war have the following obligations:

(a) When interrogated, the prisoner has the obligation to give his full name, rank, date of birth, and registration or ID number, or, if he lacks such a number, equivalent information. No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war in order to obtain information of any kind.

(b) Prisoners of war shall be subject to FDN discipline and laws and their freedom may be restricted for security purposes, but they shall not be imprisoned unless they violate FDN discipline and laws. In all cases, they have the right to present a defense before being sentenced.

Article 35 With respect to conditions in captivity, FDN members shall provide prisoners of war, free of charge, sufficient food and clothing, housing conditions not inferior to those of their own forces, and the medical care required by the prisoner's state of health.

Article 36 Prisoners of war, except for officers, may be compelled to work under conditions at least equivalent to those for members of the FDN. They may not, however, be required to perform any activity of a military nature or dangerous, unhealthy, or humiliating tasks.

Article 37. From the beginning of captivity, it shall be possible for prisoners of war to notify their families of their status as such prisoners. Following notification of the Central Prisoners of War Agency of the International Committee of the Red Cross, they may carry on correspondence with their families, receive packages of provisions, and take advantage of the spiritual assistance of ministers of their religion, if there are any.

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Article 38 Prisoners of war shall have the right to talk in private with delegates from the International Committee of the Red Cross, who may visit the internment camps where the prisoners are being held.

Article 39 All information regarding the rights and obligations of prisoners of war shall be publicly displayed so that such prisoners may have access to it at all times. Failure to observe this provision shall be punished with restriction of liberty for thirty days.

Chapter 9

The Protection of Civilian Persons in Combat Zones

Article 40 Civilian persons are individuals who, pursuant to Articles 29, 30, 31, and 32 of this Code, are not considered combatants.

Article 41 Civilian property is property that is not a military target, i.e. property that, by its nature, location, purpose, or use does not effectively contribute to military action or whose partial or total destruction, capture, or neutralization does not offer, under the prevailing circumstances, a clear-cut military advantage.

In case of doubt, property normally used for civilian purposes shall be considered civilian property and may not be attacked.

Article 42 The prohibition on attacking civilian persons and property covers all acts of violence, both offensive and defensive. Also prohibited are acts of violence or threats thereof whose principal purpose is to terrorize the civilian population. Failure to observe this provision shall be punished with restriction of liberty for four weeks and the penalty corresponding to any offense committed shall be doubled.

Article 43 The prohibition referred to in the preceding article also covers indiscriminate attacks, in other words, attacks that are not, or cannot, be directed, owing to the methods or means of combat used, against a military target.

Article 44 Attacks shall also be considered indiscriminate when their only military objective is several specific and clearly separated military targets located in a city, town, village, or other area in which there is a similar concentration of civilian persons or property of a civilian nature.

Article 45 Also prohibited are attacks likely to cause incidental civil loss or damage that would be excessive in relation to the specific and direct military advantage anticipated.

Article 46 The presence of a civilian population or civilian persons or their movements may not be used in an attempt to keep military targets safe from attack or to cover, aid, or block military operations.

Article 47 Forcing the civilian population to suffer hunger is specifically prohibited and therefore no property essential to its survival, such as food articles and the agricultural areas where they are produced, food harvests, cattle, drinking-water facilities and reserves, and irrigation structures, shall be attacked, destroyed, removed, or rendered useless. Failure to observe this provision shall be punished with restriction of liberty for six to eight weeks and the penalty corresponding to any offense committed shall be doubled.

Article 48 To the extent possible, FDN members shall protect the environment against extensive, lasting, and serious damage.

Article 49 Nicaragua's cultural patrimony shall be given special protection by FDN members. Therefore, historic monuments, works of art, and places of worship that constitute the cultural or spiritual heritage of the Nicaraguan people shall not be targets of any act of hostility or rendered unusable in support of a military effort.

Article 50 Children shall be given special respect by FDN members and shall be protected against any form of indecent liberty. FDN members shall be under absolute obligation to provide the care and assistance required by children owing to their age or any other reason and shall take all practical measures possible to ensure that children under fifteen take no direct part in the hostilities and, if they are orphaned or separated from their families as a result of the war, FDN members shall make certain that they are not abandoned and shall, in all circumstances, guarantee their sustenance, the exercise of their religion, and their education. Failure to observe this provision shall be punished with imprisonment for two months and the penalty corresponding to any offense committed shall be doubled.

Article 51 Women shall be especially respected by FDN members, and, in particular, [protected] against any form of indecent liberty. Absolute priority shall be given to care for pregnant women and mothers of young children. Failure to

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observe this provision shall be punished with imprisonment for two months and the penalty corresponding to any offense committed shall be doubled.

Article 52 It shall be a specific FDN concern to facilitate the reunification of families scattered owing to the war, and all FDN members therefore shall have a special obligation to support the activities of humanitarian organizations engaged in this task. In particular, they shall facilitate searches undertaken by family members separated by war in an attempt to renew contact with one another and, if possible, be reunited. Failure to observe this provision shall be punished with restriction of liberty for four weeks and the penalty corresponding to any offense committed shall be doubled.

Chapter 10

Treachery

Article 53 The killing, wounding, or capturing of an adversary by the use of treacherous means is prohibited. Acts that deceitfully appeal to the adversary's good faith with the intention of making him believe he has the right to, or is obligated to provide, protection shall constitute treachery. This offense shall be punished with double the penalty corresponding to any offense committed.

Article 54 Improper use of recognized emblems is absolutely prohibited. Such emblems include the white flag, the international sign of cultural patrimony, and other recognized signs, in particular the sign of the Red Cross. This offense shall be punished with imprisonment for six months to one year and dishonorable expulsion from the Movement.

Article 55 The use of national insignia of any State not a party to the conflict is prohibited and, furthermore, the enemy's distinguishing marks shall not be used during attacks in order to cover, aid, protect, or hinder military operations. This offense shall be punished by imprisonment for six months to one year and dishonorable expulsion from the Movement.

Article 56 Declaring that no quarter shall be given and threatening to conduct hostilities in such a manner that there will be no survivors is specifically prohibited. The penalty for this offense shall be imprisonment for two to six months.

Chapter 11

Homicide

Article 57 Anyone who kills a person commits the offense of homicide and shall incur a penalty of imprisonment for three years with the obligation to work for the FDN. In addition, he shall be given a dishonorable discharge.

Article 58 Anyone who kills a person when at least one of the conditions listed below exists commits the offense of murder and shall incur a penalty of imprisonment for seven years with the obligation to work for the FDN. In addition, he shall be given a dishonorable discharge.

The offense shall constitute murder if the following circumstances are present:

(a) The killing was premeditated, or done through treachery or for gain.

(b) The victim was killed for a price.

(c) The victim was killed deceitfully or without any risk, or after being taken into the murderer's confidence.

Article 59 Anyone who, for the purpose of committing an assault, uses his regulation weapon to intimidate, injure, or kill a victim also commits the offense of murder.

Chapter 12

Sexual Offenses

Article 60 Anyone who has carnal knowledge of a person of either sex by force or intimidation commits the offense of rape and shall be punished with imprisonment for six months to two years and dishonorable expulsion from the FDN.

Article 61 If deceit or a false promise is used to have carnal knowledge of a person of either sex, the offense is that of sexual abuse and shall be punished with imprisonment for up to six months and expulsion from the Movement.

Chapter 13

Crimes Against Property

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Article 62 Anyone who takes personal property from another person or persons through the use of force, violence, or intimidation in order to benefit from it commits the offense of robbery. The penalty shall be imprisonment for six months to

two years and the perpetrator shall return the stolen property or an equivalent value and pay the compensation established by the court trying the case. In any event, dishonorable expulsion from the Movement shall be an obligatory penalty for the offender.

Article 63 Anyone who, against the owner's will and without the use of force, violence or intimidation, takes another's property for his own benefit commits the offense of larceny. The penalty shall be imprisonment for a period of up to one year, the stolen goods shall be returned, and the compensation established by the court trying the case shall be paid.

Article 64 Any FDN member who does not report or hand over property captured from the enemy or found abandoned shall be punished by imprisonment for two months.

Article 65 Any FDN member who sells, buys, exchanges, or in any other way conducts business involving the FDN property or property captured from the enemy or found abandoned that will, either directly or indirectly, provide a benefit or profit for himself or another person shall be punished by imprisonment for six months to two years. In addition, if the property involved belongs to the FDN, the person shall be dishonorably expelled from the Movement.

Article 66 Any FDN member who engages in looting and pillage shall be punished by imprisonment for six months to two years and shall be dishonorably expelled from the Movement.

Chapter 14

Treason

Article 67 Anyone who uses any means to interrupt, prejudice, or impair the FDN's activities or goes over to the enemy command commits the offense of treason. The penalty incurred shall be [imprisonment for] seven years and dishonorable expulsion from the FDN.

Chapter 15

Espionage

Article 68 Anyone who acts under false pretexts or who proceeds deliberately in a clandestine manner to report to the enemy any matter giving the enemy an advantage commits the offense of espionage. The penalty shall be imprisonment for up to seven years.

Chapter 16

Disloyalty

Article 69 Anyone who transmits to persons outside the FDN by either verbal or written means or using television, the radio, the telegraph, the telephone, or any other type of communication, any FDN internal information that damages, endangers, or discredits the organization, its members, or its leaders shall be considered disloyal. A person shall also be considered disloyal if he spreads rumors within or outside the FDN that damage or discredit the organization, its members or its leaders. The penalty shall be a reprimand and/or expulsion from the FDN.

Chapter 17

Disobedience

Article 70 Any FDN member commits the offense of disobedience when he:

(a) Refuses to obey orders or perform his duty with the intention of usurping or exceeding authority. The penalty shall be imprisonment for three months and/or expulsion from the FDN.

(b) Causes violence or a disturbance with the intention of overthrowing or replacing the FDN authority. The penalty shall be imprisonment for one year.

(c) Disobeys or disregards a call from his superiors, is absent from his post or the unit where he is required to be at a specific time, or leaves the place where he is required to be without having received specific authorization from the FDN authority. The penalty shall be imprisonment for 30 days.

(d) Is disrespectful to his FDN superior, either verbally or in writing, whether he is on duty or not. The penalty shall be imprisonment for up to 30 days.

(e) Violates or disobeys any order or regulation from his superiors. The penalty shall be imprisonment for up to 30 days.

(f) Deliberately or intentionally ignores an order of which he is aware. The penalty shall be imprisonment for up to 30 days.

(g) Sleeps at his post as a sentry, is discovered inebriated on duty, or leaves his post before he is relieved. The penalty shall be imprisonment for up to 30 days.

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Chapter 18

Improper Conduct in the Face of the Enemy

Article 71 Any FDN member who, in the presence of the enemy, does any of the following:

- (a) Flees;
- (b) In a shameful manner ceases to fight, surrenders, or leaves the post, unit, place, site, or military property that it is his duty to defend;
- (c) Endangers, through disobedience, negligence, or willful improper conduct, the security of a unit, post, place, or FDN property;
- (d) Wastes ammunition or destroys his weapons;
- (e) Abandons his post or unit to engage in looting or pillage;
- (f) Raises a false alarm in any unit or command post under FDN control;
- (g) Ceases, knowingly, to combat, capture, or destroy enemy troops or munitions,

Shall be punished with imprisonment for one to three years and expulsion from the FDN, without prejudice to the penalty corresponding to the offense committed.

Chapter 19

Improper Conduct and Mistreatment of Subordinates

Article 72 Improper conduct or mistreatment of subordinates occurs whenever:

- (a) Any FDN civilian or military authority acts improperly and not in keeping with his position of authority in FDN or as a gentleman.
- (b) Any FDN civilian or military authority who mistreats his subordinates by means of acts that constitute an attack on human dignity or on the respect due the basic human right of any subordinate. The penalty shall be imprisonment for one to three years and/or expulsion from the FDN.

Chapter 20

Crimes Against Physical Integrity

Article 73 Crimes against physical integrity are committed by anyone who:

- (a) Seriously disfigures or injures another person.
- (b) Destroys or mutilates any member or organ of the victim's body.

The penalty shall be imprisonment for one to three years.

Chapter 21

Perjury

Article 74 Perjury is committed by anyone who, in an investigative proceeding or in a competent court of law, willfully makes a statement concealing or distorting the truth and thereby damages, endangers, or discredits the FDN. The penalty shall be imprisonment for six months to one year and/or expulsion from the FDN.

Chapter 22

Trial Proceedings

Article 75 Infringement or violation of any of the actions established as offenses in this Code of Conduct shall give rise to a summary proceeding which shall be conducted as follows:

- (1) Investigation;
- (2) Prosecution and judgment;
- (3) Appeal.

Article 76 The investigative stage shall last for 30 days from the date on which the report or accusation was heard or on which the existence of circumstances that cast a reasonable doubt on the commission of a crime became known. This stage may be extended for 15 days by the court when conditions hamper the presentation of evidence or proof regarding a violation or offense.

Article 77 The prosecution and judgment constitute the litigation stage in which the suspect, his counsel, and the FDN prosecutor participate. If the suspect has no attorney, a counsel for the defense shall be appointed by the court. This stage shall last 15 days.

Article 78 During prosecution and judgment evidence may be presented that could not be given during the investigative stage. The period for presentation of evidence shall close when the court sets a date to pronounce judgment.

Article 79 The purpose of the summary proceeding is to render justice promptly, to provide an example for the rest of the troops, and to ensure unwavering respect for the humanitarian principles of the law of war and a defendant's right to a defense.

Article 80 In addition to documents, the means of proof may consist of statements by witnesses and any other means that serves to establish all the elements of the offense committed and the guilt or innocence of the defendant.

Article 81 Judgment shall be pronounced 24 hours after the prosecution stage has been completed and shall be reached by a majority vote of the court. The defendant shall be notified either on the same day or within 24 hours from the time that the judgment is pronounced.

Article 82 When one of the offenses established in the Code of Conduct has been observed, reported, or cited in an accusation, a Court for Investigation and Judgment shall be set up composed of three civilian or military members, all of whom are active in the FDN, who shall conduct the investigative proceedings in the time period established in Article 76. The Court shall have broad powers to confirm or deny the existence of the offense and the guilt or innocence of the defendant.

Article 83 Once an offense has been committed and reported and a charge has been made or a reasonable question exists, the alleged offender shall be duly relieved from duty and brought before the Court for Investigation and Judgment, which shall establish security arrangements to guarantee the presence of the defendant as well as his right to a defense and to legal remedies.

Article 84 In conjunction with the steps set forth in the foregoing article, the alleged offender shall turn over to his immediate superior, after being given a duly signed receipt, all documents and military or other items in his possession by virtue of his duties at the time he was summoned for an investigation.

Article 85 The aforementioned court shall begin its work immediately upon its establishment. The [three] members shall select from among themselves a presiding officer and a secretary. Two members shall constitute a quorum. All decisions shall be made with the affirmative votes of two of

the members. In the event of the indefinite absence of a member of the Court, the Commander-in-Chief of the FDN shall appoint a substitute.

Article 86 The Court for Investigation and Judgment shall specify, in the event of a conviction, the punishment and its duration, the pertinent procedures, and the way in which it is to be served. The foregoing may be changed by the appellate court.

Article 87 The judgment may be appealed at the time of notification or on the following day. Once the appeal has been filed, the proceedings shall pass into the hands of the FDN National Directorate, which shall constitute the appellate court. The appellate court's decision shall be unappealable and stand as res judicata, if applicable. If there is no appeal, the judgment of the court of first instance shall be enforced.

Article 88 The Commander-in-Chief of the FDN, or a person designated by him, shall appoint the members of all Courts for Investigation and Judgment. He shall enjoy the right to scrutinize all proceedings that are tried and may also suspend the proceedings for the time being in order to evaluate the circumstances or in the higher interests of the organization.

Article 89 The procedure followed in the appeal shall consist of an examination of the decision and a judgment.

Article 90 The hearings shall be closed to persons not involved in the proceedings who could influence both the proceedings themselves and the final decision.

Article 91 All civilians and soldiers who belong to the FDN shall be subject to all the provisions of this Code and may not claim ignorance of anything established herein.

Article 92 This Code shall be legally applicable in all liberated territory in which the FDN is present.

Article 93 The FDN National Directorate may, when a judgment has been handed down, suspend the sentence or waive the penalty with no obligation to explain the reasons for its decision.

Transitory Provision

Article 94 When the new government of national conciliation is installed, any judgment enforced in accordance with this Code of Conduct will have authority as res judicata.

Chapter 23

Final Provision

Article 95 Anything not covered in this Code of Conduct shall be governed by the provisions of the Geneva Conventions of August 12, 1949, and their additional protocols, to which the FDN unilaterally and voluntarily accedes.